

12 NOVEMBER 1946

I N D E X
of
WITNESSES
(none)

I N D E X
of
EXHIBITS

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
1855	1107		List of names of persons attending Imperial Conferences of 1941		10140
1632EE	1108		Entry from Marquis KIDO's Diary dated 2 July 1941		10144
2731	1109		Certificate of Interpreter Commander Maxon dated 25 October 1946 of interrogations of the Defendant TOJO, Hideki of various dates during January, February and March of this year (not read)		10149
2502	1110		Parent document of Imperial Conference called by TOJO July 1941	10150	
2502B	1110-A		Interrogation of TOJO, Hideki dated 13 February 1946 - an extract		10151
4062J	1111		Report dated 3 July 1941 from Weizsaecker to German Foreign Minister Ribbentrop		10153

I N D E X

Of

EXHIBITS

(cont'd)

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
1632W(59)	1112		Entry from Marquis KIDO's Diary dated 5 July 1941		10155
4062K	1113		Telegram from Ott at Tokyo to Ribbentrop dated 7 July 1941		10157
4052C	1114		Telegram dated 15 July from Ott to Berlin		10158
1632W(60)	1115		Extract from Marquis KIDO's Diary dated 15 July 1941		10161
1632W(61)	1116		ditto 16 July 1941		10165
1632W(62)	1117		ditto 17 July 1941		10166
4052F	1118		Telegram from Ott to Berlin dated 20 July 1941		10169
2512	1119		Parent document of Interro- gation of TOJO, Hideki dated 15 March 1946	10173	
2512B	1119-A		Extract therefrom		10173
1383E	1120		Telegram from NOMURA to TOYODA dated 23 July 1941		10175
4052G	1121		Telegram dated 24 July 1941 from Ott to Berlin		10178
847C	1122		Official Statement of the Japanese Bureau of In- formation dated 29 July 1941 announcing Japan's Occupation of French Indo-China		10179

I N D E X

Of

EXHIBITS

(cont'd)

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
2502A	1123		Extracts from the TOJO's interrogation dated 13 February 1946		10181
4167	1124		Parent document of TOJO's interrogation dated 15 February 1946	10183	
4167B	1124-A		Extract from interrogation of TOJO dated 15 July 1946		10183
1632W(63)	1125		Certain views of the Defendants NAGANO and KIDO re war with the U. S.		10184
2495	1126		Parent document of inter- rogation of Osami NAGANO dated 21 March 1946	10187	
2495-A	1126-A		Extracts therefrom		10187
2497	1127		Parent document of inter- rogation of Osami NAGANO dated 27 March 1946	10191	
2497A	1127-A		Extracts therefrom		10191
2498	1128		Parent document inter- rogation of Shigetaro SHIMADA on 23 January 1946	10193	
2498B	1128-A		Extract therefrom		10193

I N D E X
Of
EXHIBITS
(cont'd)

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
1632W(64)	1129		Extract from Marquis KIDO's Diary dated 2 August 1941		10196
1632W(66)	1130		Entry from KIDO's Diary dated 7 August 1941		10198
1457	1131		Telegram from NONURA to Foreign Minister TOYODA dated 16 August 1941		10202
2534	1132		Certified Press item showing that the Cabinet on 22 August 1941 approved National Commodity Mobilization Plan		10204
2535A	1133		Excerpt from the "Osaka Mainichi and the Tokyo "Nichi-Nichi" of 8 September 1941		10213
1632W(67)	1134		Extract from KIDO's Diary dated 5 September 1941		10214
1632W(68)	1135		Extract from KIDO's Diary dated 6 September 1941		10215
2507	1136		Parent document of TOJO's inter- rogation dated 23 February 1946	10219	
2507A	1136-A		Extracts from the TOJO inter- rogation of 23 February 1946		10219
2509	1137		Parent document of TOJO's interrogation dated 11 March 1946	10219	
2509A	1137-A		Extract therefrom		10220

I N D E X

Of

EXHIBITS

(cont'd)

<u>Doc. No.</u>	<u>Pres. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
1632W(69)	1138		Entry from KIDO's Diary dated 11 September 1941		10222
1457B	1139		Telegram from NOMURA to TOYODA dated 12 September 1941		10223
2546A	1140		Report of extract from the Tokyo Nichi-Nichi dated 13 September 1941 re Labor Mobilization Plan		10228
1632W(71)	1141		Extract from KIDO's Diary dated 26 September 1941		10230
1632W(72)	1142		ditto 29 September 1941		10231
1632W(75)	1143		ditto 7 October 1941		10232
2593D-4	1144		Telegram from NOMURA to Tokyo dated 8 October 1941 (Part 1 of 4)		10233
15-I	1145		Telegram from NOMURA to Tokyo dated 8 October 1941 (Part 2 of 4)		10234
1632W(76)	1146		Extract from KIDO's Diary dated 9 October 1941		10241
1632W(77)	1147		Extract from KIDO's Diary dated 12 October 1941		10246
497A	1148		Facts Pertaining to the Resignation of the 3rd KONOYE Cabinet		10250
1632W(78)	1149		Extract from KIDO's Diary dated 12 October 1941		10274
1632W(79)	1150		Entry from Marquis KIDO's Diary dated 15 October 1941		10275

1 Tuesday, 12 November, 1946

2 - - -

3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

11 - - -

12
13 Appearances:

14 For the Tribunal, same as before with the
15 exception of the HONORABLE R. B. PILL, Member from
16 India, not sitting.

17 For the Prosecution Section, same as before.

18 For the Defense Section, same as before.

19
20 - - -

21
22 (English to Japanese and Japanese
23 to English interpretation was made by the
24 Language Section, IITFE.)
25

M
O
r
s
e
&
A
b
r
a
m

1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: All the accused are present
4 except OKAWA and HIRANUMA, who are represented by
5 their respective counsel. I have a certificate from
6 the Medical Superintendent of Sugamo Prison, cer-
7 tifying that HIRANUMA is unable to attend today on
8 account of illness. The certificate will be recorded
9 and filed.

10 Mr. Higgins.

11 MR. HIGGINS: With the permission of the
12 Tribunal, I shall conclude the reading of exhibit
13 1106.

14 THE PRESIDENT: This is Mr. Hull's statement?

15 MR. HIGGINS: Yes, sir.

16 Beginning with the first complete paragraph
17 on page 9:
18

19 "II. CONVERSATIONS AND DEVELOPMENTS PRIOR
20 TO JULY 1941.

21 "On February 14, 1941 the President received
22 the new Japanese Ambassador, Admiral NOMURA, in a spir-
23 it of cordiality and said that they could talk candid-
24 ly. He pointed out that relations between the United
25 States and Japan were deteriorating and mentioned Jap-
anese movements southward and Japanese entry into the

1 Tripartite Agreement. The President suggested that
2 the Ambassador might like to re-examine and frankly
3 discuss with the Secretary of State important phases
4 of American-Japanese relations.

5 "On March 8, in my first extended conversa-
6 tion with the Japanese Ambassador, I emphasized that
7 the American people had become fully aroused over the
8 German and Japanese movements to take charge of the
9 seas and of the other continents for their own arbi-
10 trary control and to profit at the expense of the wel-
11 fare of all of the victims.

12 "On March 14 the Japanese Ambassador saw
13 the President and me. The President agreed with an
14 intimation by the Ambassador that matters between our
15 two countries could be worked out without a military
16 clash and emphasized that the first step would be re-
17 moval of suspicion regarding Japan's intentions. With
18 the Japanese Foreign Minister MATSUOKA on his way to
19 Berlin, talking loudly, and Japanese naval and air
20 forces moving gradually toward Thailand, there was
21 naturally serious concern and suspicion.

22 "On April 16 I had a further conversation
23 with the Japanese Ambassador. I pointed out that the
24 one paramount preliminary question about which our
25 Government was concerned was a definite assurance in

1 advance that the Japanese Government had the willing-
2 ness and power to abandon its present doctrine of con-
3 quest by force and to adopt four principles which our
4 Government regarded as the foundation upon which re-
5 lations between nations should rest, as follows:

6 "(1) Respect for the territorial integrity
7 and the sovereignty of each and all nations;

8 "(2) Support of the principle of non-inter-
9 ference in the internal affairs of other countries;

10 "(3) Support of the principle of equality,
11 including equality of commercial opportunity;

12 "(4) Non-disturbance of the status quo in
13 the Pacific except as the status quo may be altered
14 by peaceful means.

15 "I told the Japanese Ambassador that our
16 Government was willing to consider any proposal which
17 the Japanese Government might offer such as would be
18 consistent with those principles.

19 "On May 12 the Japanese Ambassador presented
20 a proposal for a general settlement. The essence of
21 that proposal was that the United States should re-
22 quest Chiang Kai-shek to negotiate peace with Japan,
23 and, if Chiang should not accept the advice of the
24 United States, that the United States should discontin-
25 ue its assistance to his Government; that normal trade

1 relations between the United States and Japan should
2 be resumed; and that the United States should help
3 Japan acquire access to facilities for the exploita-
4 tion of natural resources--such as oil, rubber, tin
5 and nickel--in the southwest Pacific area. There were
6 also other provisions which Japan eventually dropped,
7 calling for joint guarantee of independence of the
8 Philippines, for the consideration of Japanese immi-
9 gration to the United States on a non-discriminatory
10 basis, and for a joint effort by the United States and
11 Japan to prevent the further extension of the European
12 war and for the speedy restoration of peace in Europe.

13 "The proposal also contained an affirmation
14 of Japan's adherence to the Tripartite Pact and a
15 specific reference to Japan's obligations thereunder
16 to come to the aid of any of the parties thereto if
17 attacked by a power not at that time in the European
18 war or in the Sino-Japanese conflict, other than the
19 Soviet Union which was expressly excepted.

20 "The peace conditions which Japan proposed
21 to offer China were not defined in clear-cut terms.
22 Patient exploring, however, disclosed that they in-
23 cluded stipulations disguised in innocuous-sounding
24 formulas whereby Japan would retain control of various
25 strategic resources, facilities and enterprises in

1 China and would acquire the right to station large
2 bodies of Japanese troops, professedly for 'joint
3 defense against Communism,' for an indefinite period
4 in extensive key areas of China proper and Inner
5 Mongolia.

6 "Notwithstanding the narrow and one-sided
7 character of the Japanese proposals, we took them
8 as a starting point to explore the possibility of
9 working out a broad-gauge settlement, covering the
10 entire Pacific area, along lines consistent with the
11 principles for which this country stood.

12 "On May 14, Mr. MATSUOKA, the Japanese Min-
13 ister of Foreign Affairs, in the course of a conversa-
14 tion with Ambassador Grew, said that both Prince
15 KONOYE and he were determined that Japan's southward
16 advance should be carried out only by peaceful means,
17 'unless,' he added significantly, 'circumstances ren-
18 der this impossible.'

19 "In reply to the Ambassador's inquiry as to
20 what circumstances he had in mind, Mr. MATSUOKA re-
21 ferred to the concentration of British troops in Ma-
22 laya and other British measures. When the Ambassador
23 pointed out that such measures were of a defensive
24 character, the Minister's reply was that those meas-
25 ures were regarded as provocative by the Japanese

1 public, which might bring pressure on the Government
2 to act.

3 "On May 27, 1941, President Roosevelt pro-
4 claimed the existence of an 'unlimited national emer-
5 gency' and in a radio address on the same day he de-
6 clared that our whole program of aid for the democ-
7 racies had been based on concern for our own security.
8 He warned of the conditions which would exist should
9 Hitler be victorious.

10 "The President and I were sure that the
11 proclamation would be noticed not only by Hitler but
12 also by the Japanese war lords.

13 "On May 28 I told the Japanese Ambassador
14 that I had it in mind before passing from our informal
15 conversations into any negotiations with Japan to talk
16 out in strict confidence with the Chinese Government
17 the general subject matter involved in the proposals.

18 "During the next few weeks there were a
19 number of conversations for the purpose of clarifying
20 various points and narrowing areas of difference. We
21 repeatedly set forth our attitude on these points--
22 the necessity of Japan's making clear its relation to
23 the Axis in case the United States should be involved
24 in self-defense in the war in Europe; application of
25 the principle of non-interference in the internal

1 affairs of another country and withdrawal of Japan-
2 ese troops from Chinese territory; application of
3 the principle of non-discrimination in commercial
4 relations in China and other areas of the Pacific and
5 assurance of Japan's peaceful intent in the Pacific.
6 I emphasized that what we were seeking was a compre-
7 hensive agreement which would speak for itself as an
8 instrument of peace.

9 "The Japanese pressed for a complete reply
10 to their proposals of May 12. Accordingly, on June
11 21, the Ambassador was given our views in the form of
12 a tentative redraft of their proposals. In that re-
13 draft there was suggested a formula which would make
14 clear that Japan was not committed to take action
15 against the United States should the latter be drawn
16 by self-defense into the European war. It was pro-
17 posed that a further effort be made to work out a sat-
18 isfactory solution of the question of the stationing
19 of Japanese troops in China and of the question of
20 economic cooperation between China and Japan. There
21 also was eliminated any suggestion that the United
22 States would discontinue aid to the Chinese Government.
23 Various other suggested changes were proposed in the in-
24 terest of clarification for the purpose of harmonizing
25 the proposed settlement with our stated principles."

1 MR. HIGGINS: Mr. President, this document
2 concludes that part of our phase of the case dealing
3 with relations between the British Commonwealth
4 and the United States on the one hand and Japan on
5 the other, ending June 30, 1941.

6 Mr. John W. Fihelly, First Assistant United
7 States Attorney for the District of Columbia, of the
8 United States, will present the evidence dealing
9 with the relations between July 1, 1941 and December
10 7, 1941.

11 THE PRESIDENT: Mr. Fihelly.

12 MR. FIELLY: Mr. President and Members of
13 the Tribunal, we now treat the phase of our period
14 covering American, British and Japanese relations
15 from 1 July 1941 to and including the Pearl Harbor
16 attack on 7 December 1941.

17 Our evidence will show that all Imperial
18 Conferences were preceded by Liaison Conferences
19 where preliminary decisions were made on matters of
20 important national policy.

21 It has already been shown by one of Mr.
22 Hardin's introductory documents, IPS document No.
23 1699, Court exhibit No. 1103, that six Liaison Con-
24 ferences were held immediately following Germany's
25 attack on Russia of June 22nd.

1 A Liaison Conference was held the very next
2 day after the German attack on Russia, namely on
3 June 23rd, and other Liaison Conferences followed
4 on June 25th, 26th, 27th, 28th, and 30th.

5 Following those six Liaison Conferences, an
6 Imperial Conference was held on July 2nd, this being
7 the first of the four important Imperial Conferences
8 of the year.

9 I now offer in evidence IPS document No.
10 1855, which gives the names of those who attended
11 this and later Imperial Conferences of 1941 which we
12 will come to in their order of date.

13 MR. LOGAN: If the Tribunal please, we ob-
14 ject to the introduction of this document, on the
15 ground that it appears on its face that it was made
16 on recollection, apparently, only, of the Director
17 of General Affairs, Central Liaison Office. All
18 the records of the conferences were destroyed in air
19 raids, and it is quite apparent that he is guessing
20 as to who was present at these various conferences.
21 because he stated in his own affidavit that in
22 many cases certain of these men were there, and he
23 doesn't set forth just what investigation was made
24 or what documents were seen in order to ascertain who
25 was actually present at these conferences, which were,

1 as you know, very important conferences.

2 THE PRESIDENT: Mr. Blewett.

3 MR. BLEWETT: I would like to include in
4 that objection also, your Honor, demand for the wit-
5 ness for cross-examination, unless the prosecution is
6 going to put him on.

7 THE PRESIDENT: What Mr. Logan says, of
8 course, goes to weight only and not to admissibility.
9 The destruction of the documents reduces the pro-
10 bative value of the evidence, but does not destroy
11 its value. Short of calling the witness, it re-
12 presents the best evidence available, as I understand
13 the position. The document is really admissible, but
14 whether the person responsible -- what is his name?

15 MR. FIDELLY: Mr. IGUCHI.

16 THE PRESIDENT: -- is a matter upon which my
17 colleagues will have to decide. They may think he
18 ought to be called if he is in Tokyo.

19 (Whereupon, the President conferred
20 with the Members on the Bench.)

21 THE PRESIDENT: The majority of the Court
22 think that the person making the statement should
23 be called, because of the great importance attached
24 to what he says, so the defense' objection to the
25 statement is overruled, but their application that the

1 witness be called is upheld.

2 You may proceed with the reading of the
3 statement, but he must be called for cross-examina-
4 tion.

5 Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document
7 No. 1855 will receive exhibit No. 1107.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution's exhibit
10 No. 1107 and received in evidence.)

11 MR. FIELLY: This document, exhibit No. 1107,
12 shows that the following individuals were present at
13 the Imperial Conference of July 2, 1941:

14 KONOYE, Prime Minister; MATSUOKA, Foreign
15 Minister; TOJO, War Minister; OKAWA, Navy Minister,
16 KAWADA, Finance Minister; SUZUKI, President of Plan-
17 ning Board; HIRANUMA, Home Minister; SUGIYAMA, Chief
18 of Army General Staff; NAGANO, Chief of Naval General
19 Staff; TOMITA, Chief Secretary of the Cabinet; OKA,
20 Director of Military Affairs Bureau, Navy Ministry;
21 TSUKADA, Vice-Chief of Army General Staff; KONDO,
22 Vice-Chief of Naval General Staff; HARA, President
23 of the Privy Council.

24 MR. FIELLY: As the July 2nd Imperial
25 Conference was the first of the four Imperial

1 Conferences of 1941, and the national policies de-
2 cided upon had a direct bearing on the other three
3 that followed, and on what the evidence will show
4 to be, the aggressive wars that followed, we now
5 refer to, because of its importance and, particularly,
6 call the Court's attention to the provisions of Pro-
7 secution Exhibit No. 588, a document which was found
8 at the Foreign Ministry, which gives information as
9 to the national policies agreed on and the decisions
10 made at the Imperial Conferences of 1941.

11 As to the July 2nd Imperial Conference, this
12 document shows, that with Russia now at war with
13 Germany, and with the pressure off from the north,
14 Japan speedily moved southwards to French Indo-China
15 to carry out the national policies decided on at
16 that first Imperial Conference. Our evidence will
17 also show that Japan, with each step, prepared for
18 war with the United States and Great Britain, should
19 those countries in any way interfere with her plans
20 in that respect.

21 As shown by this exhibit, there were three
22 policies decided on at the Imperial Conference of
23 July 2nd. Briefly, they were that:

24 (1) Regardless of any change in the international
25 situation, Japan will adhere to the principle of .

1 establishing a "Greater East Asia Co-Prosperity
2 Sphere," ---

3 MR. LOGAN: If the Tribunal please, I don't
4 know whether the prosecution is giving evidence here
5 or making a summation or opening statement, or just
6 what it is. I believe the opening statement has
7 already been made for this phase.

D
u
d
a
&
E
d
e
r

1
2 THE PRESIDENT: He has been making some con-
3 necting remarks between documents. He is now read-
4 ing part of exhibit 588. If the transcript is to
5 constitute intelligible reading something of the
6 sort must be done that has been done. But I repeat
7 that we want counsel to say no more than is abso-
8 lutely necessary to meet that one purpose, to con-
9 nect what they are saying and reading.

10 MR. FIELLY: I may say to Mr. President
11 and Members of the Tribunal, that what I am doing
12 here is just taking the very meat from the exhibit,
13 rather than repeating and rereading it all.

14 THE PRESIDENT: It would be better to read
15 the material parts of this very important and not
16 over-long document.

17 MR. FIELLY: Mr. President, I will proceed
18 with another document in the meantime, because I do
19 not have the original or a copy here, I just have
20 the descriptive remarks connected with it.

21 MR. BROOKS: Mr. President, if the Tribunal
22 please, I notice in this list of members there is an
23 OIKAWA, and he pronounced it OKAWA. That is not the
24 accused, OKAWA; that is a different spelling, and I
25 would like to call the Court's attention to it, if

1 you please.

2 THE PRESIDENT: We have not been misled.

3 MR. FANELLY: As also showing that an
4 Imperial conference was held on July 2, and the pur-
5 pose for which it was held, we now offer in evidence
6 International Prosecution document 1632EE, which is
7 an extract from the KIDO diary dated July 2, 1941.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document
10 No. 1632EE will receive exhibit No. 1108.

11 (Whereupon, the document above
12 referred to ~~was marked~~ prosecution's
13 exhibit No. 1108 and received in evidence.)
14

15 MR. FANELLY (Reading):

16 "At 10 A.M., Imperial Conference was held in
17 the Imperial Palace, and the national policy to
18 cope with the new situation accompanying the out-
19 break of the Russo-German War was decided."

20 Paragraph four: "At 1 P.M. Prince KONOYE
21 called me at my officeroom, and we talked. He said
22 that he found it difficult to understand the true
23 intention of Foreign Minister MATSUOKA."

24 And the next and last paragraph: "From 2
25 to 3 PM, was received in audience by the Emperor, and

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 was told about the progress of the Imperial Conference.
2 At 3:20 P.M., made arrangements with the chief aide-de-
3 camp for the establishment of the Imperial General
4 Headquarters within the Imperial Court and for the
5 Imperial visit to HAYAMA."

6 Now, with respect to exhibit 588, a copy
7 of which I now have before me, Mr. President and
8 Members of the Tribunal --

9 THE PRESIDENT: Read from the document.
10 Don't attempt your own precis of it, Mr. Fihelly;
11 otherwise you will have trouble from the defense.

12 MR. FIEHELLY: Document 1652, page 1, this
13 being exhibit 588:

14 "Resolutions Concerning the Japanese-
15 American Negotiations Adopted Through
16 the Conferences in the Imperial Presence."

17 THE PRESIDENT: Now you are going to deal
18 with the first conference, I understand.

19 MR. FIEHELLY: That is right.

20 THE PRESIDENT: For the time being read only
21 so much as bears on that, and don't make a precis.

22 MR. FIEHELLY (Reading): "Through the
23 Imperial conference on July 2, 1941."

24 Resolution adopted through the Imperial
25 conferences of that date.

1 "A summary of the Empire's POLICY according
2 to the changes in the situation.

3 "I PRINCIPLE.

4 "a. Regardless of any change in the international
5 situation, Japan will adhere to the principle of
6 establishing a 'Greater East Asia Co-prosperity
7 Sphere,' and accordingly contribute to the establish-
8 ment of world-peace.

9 "b. Japan will continue the disposition of the
10 Chinese Incident and will stop up the Southward
11 advance in order to establish for herself a basis
12 for self-existence and self-defense. The Northern
13 problems will be dealt with according to the changes
14 in the situations.

15 "c. Japan will remove all obstacles for the
16 achievement of the foregoing purpose.

17 "II SUMMARY.

18 "a. In order to hasten the surrender of Chiang's
19 Regime, further pressure through the Southern
20 regions will be strengthened to the changes in the
21 situations, we shall execute our rights of war against
22 the Chungking Regime at the proper time, and shall
23 confiscate the enemy concessions in China.

24 "b. For the sake of her self-existence and self-
25 defense Japan will continue necessary diplomatic

1 negotiations with relevant nations in the Southern
2 regions and will also promote other necessary
3 measures. For this purpose we shall make preparations
4 for a war with Britain and the United States. First,
5 we shall accomplish the execution of our schemes
6 against French Indo-China and Thailand following the
7 'Principle Policy toward French Indo-China and
8 Thailand,' and 'Matters concerning the Promotion of
9 our Southern Policy,' thereby stabilizing our
10 structure for the Southern advance. In order to
11 achieve the above-mentioned purpose, Japan will not
12 hesitate to have a war with Britain and the United
13 States.

14 "c. Though the spirit of the tripartite axis will
15 form the keynote of our attitude toward the German-
16 Soviet War, we shall not intervene for a while, but
17 take voluntary measures by secretly preparing arms
18 against the Soviet Union. Meanwhile, diplomatic
19 negotiations will be continued with detailed pre-
20 cautions; and should the conditions of the German-
21 Soviet war progress favourable to Japan we shall
22 execute arms to solve the northern problems, thereby
23 securing stability in the Northern regions.

24 "d. In the accomplishment of the above, all measures,
25 especially in the case of execution of arms, must be

1 decided so that there will be no great difficulty
2 in maintaining our basic posture for a war with
3 Britain and the United States.

4 "e. We shall do our utmost in preventing the United
5 States participation in the War through diplomatic
6 measures in the pre-arranged programmes, and every
7 other possible way, but in case she should participate,
8 Japan will act according to the Tripartite Pact.

9 However, the time and method of military action will
10 be decided independently.

11 "f. We shall shift promptly to the complete stabiliza-
12 tion of internal war-time structures, particularly we
13 shall strive for the stabilization of national defense.

14 "g. As to the definite measures we shall decide
15 separately."

16
17 And that is all, Mr. President and
18 Members of the Tribunal, from that document to be
19 read at this time.

20 We shall have occasion, Mr. President
21 and Members of the Tribunal, to refer to many extracts
22 of interrogations of the defendant TOJO, and we
23 accordingly offer at this time International Prosecu-
24 tion document 2731, which is a group certification of
25 the interrogations of the defendant TOJO on various
dates set forth in the certification, during January,

1 February and March of this year. The certification
2 is the same as the individual certifications which
3 have been heretofore used, and only differs in that
4 it is a group certification.

5 THE PRESIDENT: Admitted on the usual
6 terms.

7 CLERK OF THE COURT: Prosecution's document
8 2731 will receive exhibit No. 1109.

9 (Whereupon, the document above re-
10 ferred to was marked prosecution's
11 exhibit No. 1109 and received in evidence.)
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 MR. FINELLY: To show that the defendant
2 TOJO, as Minister of War, called the first Imperial
3 Conference of July 1941, and to give his version of
4 why it was called and who attended it, we now offer
5 in evidence International Prosecution Document 2502-B,
6 which is an extract from the TOJO interrogation of
7 February 13 of this year, pages 8 and 9.

8 THE PRESIDENT: Mr. Blewett.

9 MR. BLEWETT: If the Court please, I under-
10 stand the prosecution is not going to offer the full
11 statement in evidence or even for identification,
12 but simply read excerpts, and in some of these ex-
13 cerpts are just one or two questions and answers.

14 THE PRESIDENT: The parent document should
15 be tendered for identification as hitherto.

16 MR. BLEWETT: The reason I make the statement,
17 sir, is because in many places after one or two days'
18 interrogations the witness has gone back to certain
19 questions and explained them more fully; and if these
20 excerpts just simply show the one question and answer
21 it is not a complete answer.

22 THE PRESIDENT: You will have to speak with
23 the utmost simplicity; otherwise you will have every-
24 thing translated twice into Japanese.

25 Speak into the microphone, speak slowly,

1 speak clearly.

2 Mr. Blewett, as the Tribunal has frequently
3 pointed out, you will be at liberty to tender later
4 when the defense are giving evidence, such questions
5 and answers as are omitted by the prosecution. That
6 is all I can say at this stage.

7 The document is admitted on the usual terms.
8 But the parent document, if I may call it such, must
9 be tendered for identification.

10 MR. FINELLY: We offer the parent document
11 for identification and ask that this extract be
12 marked as an exhibit.

13 CLERK OF THE COURT: Prosecution's document
14 No. 2502 will receive exhibit No. 1110 for identifi-
15 cation only, and the excerpt therefrom, to-wit,
16 document No. 2502-B, will receive exhibit No. 1110-A.

17 (Whereupon, prosecution's document
18 No. 2502 was marked prosecution's exhibit No. 1110
19 for identification. Prosecution's document
20 No. 2502-B was marked prosecution's exhibit No. 1110-A,
21 and was received in evidence.)

22 MR. FINELLY: I now read, Mr. President
23 and Members of the Tribunal, from exhibit 1110-A.

24 "Q Who requested this Imperial Conference
25 of July 1941?

1 "A Since the problem of stationing troops
2 in southern French Indo-China was the principal prob-
3 lem, it may have been the War Minister, I believe.

4 "Q Do you not recall whether or not you
5 called this meeting? You were War Minister.

6 "A Actually, I think I probably requested
7 it. However, things were decided usually at the
8 Liaison Conference where they were decided practically
9 by common consent. You asked me who requested this
10 conference and I cannot answer because usually the
11 War Minister, the Navy Minister, Foreign Minister,
12 and the Premier got together and agreed on a subject.
13 Then the actual drafting of the plan was left to the
14 three secretaries, to whom I have referred in pre-
15 vious interviews. The plan was then presented to the
16 Liaison Conference from which the decision to request
17 an Imperial Conference might come. Just now you
18 looked very solemn when you asked me the question of who
19 called the conference. It was called by the process
20 I have described, but the responsibility in connection
21 with the movement of troops into southern Indo-China
22 was my responsibility as War Minister. It is dis-
23 tasteful to me to try to avoid responsibility."

24 That the Tripartite Pact was the basis of
25 every move which Japan made at this time in connection

1 with the negotiations with the United States is shown
2 by International Prosecution document 4062-J, which is
3 now offered in evidence, this being a report dated
4 July 3, 1941, referring to the defendant OSHIMA, from
5 Weizsaecker, an official of the Foreign Office in
6 Berlin, to the German Foreign Minister Ribbentrop.

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Prosecution's document
9 No. 4062-J will receive exhibit No. 1111.

10 "Whereupon, the document above
11 referred to was marked prosecution's exhibit
12 No. 1111, and was received in evidence.)

13 MR. FINELLY: Before reading this document,
14 I desire to call the attention of the Tribunal and
15 counsel to one word which is a typographical error
16 which appears in the next to the last paragraph on
17 the first page of the document, the word "wear." We
18 have examined the original document and are informed
19 that should be "weak" instead of "wear."

20 THE PRESIDENT: It is w-e-a-r here.

21 MR. FINELLY: May I read the document,
22 Mr. President, as it is? I now read from exhibit 1111.

23 "Teletype. Berlin, 3 July 1941. To German
24 Minister of Foreign Affairs.

25 "At the occasion of a conversation with

1 Ambassador OSHIMA concerning the recognition of WANG
2 CHING-WEI by Denmark and Finland, I have drawn the
3 Ambassador's attention to the latest 'Revue Diplomatique.'
4 In this the Japanese attitude after the
5 Cabinet Session is familiarly described as iridescent.

6 "In this connection OSHIMA told me he had
7 last night received an interim report from Tokyo concerning
8 the present Japanese attitude, running about as
9 follows:

10 "1. Substance and spirit of the Tri-Partite
11 Pact will remain the basis of Japanese foreign
12 politics.

13 "2. Japan wants to continue fighting the
14 Communist organizations with Germany and strengthen
15 her military preparations for this purpose (presumably
16 in Manchuria.)

17 "3. By bringing pressure to bear on England
18 and the United States in the Southwest Pacific,
19 Japan wants to tie down both of the Anglo-Saxon states.

20 "4. All efforts shall be directed towards
21 the termination of the Chinese conflict.

22 "OSHIMA said that in this report he especially
23 did not understand item 2. He has wired to Tokyo for
24 a commentary and has pointed out the great danger of
25 missing an historic opportunity. He finally stated

1 his unwillingness to help champion a --" and here comes
2 the word "wear" -- "policy on the part of Japan.

3 "I confirmed this surprising communication
4 to Ambassador OSHIMA with the information that Amba-
5 sador OTT has just informed us of the unsatisfactory
6 outcome of the Cabinet Session."

7 On July 5, 1941, there is an entry in KIDO's
8 Diary which throws light on the nature of the Japanese
9 intentions at this time. This entry we now offer in
10 evidence, International Prosecution document 1632-W(59).

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: Prosecution's document
13 No. 1632-W(59) will receive exhibit No. 1112.

14 (Whereupon, the document above
15 referred to was marked prosecution's exhibit
16 No. 1112, and was received in evidence.)
17
18
19
20
21
22
23
24
25

W
o
l
f
&
G
r
e
e
n
b
e
r
g

1 MR. FIEHELLY: I now read from prosecution
2 exhibit No. 1112, KIDO's diary entry, July 5, 1941.

3 "Foreign Minister MATSUOKA proceeded to the
4 Palace at 2 p.m., and we talked after his withdrawal
5 from the Imperial presence. He said that information
6 of the diplomatic parley between France and Japan
7 relative to the Japanese Army's entry into French Indo-
8 China seemed to have leaked out, for Ambassador Craigie
9 had lodged a protest with us through Mr. OHASHI, Vice
10 Foreign Minister, saying that if the understanding
11 reached between France and Japan were true, England
12 would consider it a serious problem. Therefore the
13 negotiations which had been originally scheduled to
14 start today or thereabout were decided to be postponed
15 for another five days in order to watch necessary
16 developments."

17 On July 7, 1941 Ambassador Ott at Tokyo
18 made a report to Ribbentrop, including some remarks
19 concerning the defendant SHIRATORI, International
20 Prosecution document 4062-K, which we now offer in
21 evidence as tending to show the close relationship
22 between Japan and Germany at this time and the dis-
23 position of Japan to wage aggressive war.

24 THE PRESIDENT: Admitted on the usual terms.

25 CLERK OF THE COURT: Prosecution's document

1 No. 4062-K will receive exhibit No. 1113.

2 (Whereupon, the document above
3 referred to was marked prosecution's exhibit
4 No. 1113 and received in evidence.)

5 THE PRESIDENT: If you use that word "aggressive"
6 unnecessarily, as you have done, the defense will
7 tell you you are arguing a case.

8 Mr. Blewett.

9 MR. BLEWETT: We wish to object to the remark,
10 your Honor. We do not like to object continuously
11 on that question and we shall not do so unless it is
12 used more than we think it should be at any time in
13 the form of testimony or evidence on the part of the
14 prosecution.

15 MR. FIDELLY: I shall now read the last
16 eight lines of document, prosecution exhibit 1113.
17 The first part of the telegram all relates to SHIRATORI's
18 illness and I shall not read it unless requested to.

19 The wire is from "Tokyo, July 7, 1941, telegram
20 of 3rd, No. 965, Foreign Ministry. For the German
21 Foreign Minister," and the last eight lines read as
22 follows:

23 "I transmitted him the best wishes of the
24 German Foreign Minister for his (SHIRATORI) recovery
25 which evidently greatly pleased him. He asked me to

1 thank the German Foreign Minister and to assure
2 /him/ that as soon as he was able to take up his
3 political work again, he wants unchangedly to advocate
4 an active course for Japan, and that he regarded the
5 entry into the war against Russia as the most urgent
6 goal."

7 It has already been shown by prosecution
8 exhibit 640, a wire from MATSUOKA to Foreign Minister
9 KATO, dated July 12, 1941, that at this time Japan was
10 exerting pressure on the Vichy Government to allow
11 it to send troops into South French Indo-China and
12 we now offer in evidence International Prosecution
13 document 4052-C, a wire of July 15 from Ott to Berlin,
14 to show the German connection in this matter and to
15 indicate the part that the Tri-Partite Pact played in
16 this enterprise.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: Prosecution's document
19 No. 4052-C will receive exhibit No. 1114.

20 (Whereupon, the document above
21 referred to was marked prosecution's exhibit
22 No. 1114 and received in evidence.)

23 MR. FIELLY: I now read from prosecution
24 exhibit No. 1114:

25 "Tokyo - 15 July 1941 - 1150 hours

1 "Arrival 16 July 1941 - 7.30 hours

2 "No. 1246 of 15 July

3 "MOST URGENT!

4 "Secret.

5 "MARGINAL NOTE: Sent to Special Train with-
6 out a number Tel. Kt. - 16 July

7 "Japanese Vice Foreign Minister just asked
8 me to see him and informed me of the following with
9 the request for handling it strictly confidentially.

10 "The Japanese Government has commissioned
11 its Ambassador in Vichy to enter into negotiations with
12 the French Government in order to obtain their consent
13 to station a number of Japanese troops in South Indo-
14 China and to set up one naval base each in Saigon and
15 Comoran/ sic. Camranh/ as well as several air bases.
16 The object was a common defense with the French authorit-
17 ies against harmful influences on the part of the De
18 Gaulle movement fostered by England and America. The
19 Japanese Government is vitally interested in a peaceful
20 development of Indo-China politically and economically,
21 especially economically, in order to secure the vital
22 supply of foodstuffs and raw materials. The Japanese
23 Government has no territorial intentions - does not
24 wish to infringe on the sovereignty of Indo-China
25 and intends to stand by the agreements of August of

1 last year and the treaties recently signed with the
2 French Government re Indo-China. She hopes to reach
3 her goal by peaceful means but is determined to def-
4 initely succeed against any eventual interference
5 by England or America. Japan expects the negotiations
6 to be successfully terminated by 20 July and will
7 then commence the occupation. Should the French
8 Government claim the help of the German Government
9 against the Japanese request, Japan requests the
10 German Government to influence Vichy in the sense
11 of a peaceful settlement.

12 "The Italian Ambassador will be informed
13 to the same effect. One group missing. Other
14 governments and the French Ambassador in Tokyo
15 will not be informed. "

16 "Ott," name appearing at the end.
17
18
19
20
21
22
23
24
25

1 Next comes two entries from the KIDO Diary,
2 dated July 15 and 16, International Prosecution
3 document 1632W (60) and (61) which we now offer in
4 evidence, both.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document
7 No. 1632W (60) will receive exhibit No. 1115, and
8 document No. 1632W (61) will receive exhibit No.
9 1116.

10 (Whereupon, the documents above re-
11 ferred to were marked prosecution's exhibit
12 Nos. 1115 and 1116, respectively, and re-
13 ceived in evidence.)

14 MR. FIELLY: Mr. President and Members of
15 the Tribunal, the first document, 1115, is a lengthy
16 one and only refers in general, as the reading of the
17 document will show, to the fact that MATSUOKA's views
18 as Foreign Minister had brought about a Cabinet
19 crisis. I do not intend to read this document unless
20 requested but will go on to the other, exhibit 1116,
21 which shows what happens as a result of that crisis.

22 THE PRESIDENT: We all think that you should
23 read this.

24 MR. FIELLY: I am prepared to read it, your
25 Honor.

1 I now read, Mr. President and Members of the
2 Tribunal, from prosecution exhibit 1115:

3 "Extract from Entry from Marquis KIDO's
4 Diary, 15 July 41'

5 "MATSUDAIRA came from Tokyo at eight a.m.
6 to report on the outcome of his meeting with Premier
7 KONOYE. There still remained a certain vagueness
8 about Foreign Minister MATSUOKA's attitude towards
9 the proposal formula for a Japan-American understand-
10 ing. Under the circumstances, up to yesterday the
11 Premier was of the opinion that should the Foreign
12 Minister agree to the formula prepared by the Direc-
13 tor of Military Affairs and the Director of Naval
14 Affairs, with a few alterations he would push the
15 policy as it was. Although the Foreign Minister had
16 no objection to the formula, he insisted on giving in-
17 structions to Ambassador NOMURA in Washington to the
18 effect that the Government would reject the oral state-
19 ment of Mr. Cordell Hull, as it was of a disgraceful
20 nature for Japan. After that he said that he would
21 wire a compromise formula to Admiral Kichisaburo NO-
22 MURA. But Prince KONOYE was of the opinion that our
23 formula should be wired at the same time, because if
24 we followed MATSUOKA's idea, there would be a possi-
25 bility that America might take it as our intention to

1 discontinue the negotiations. Adviser SAITO advised
2 that since it could be done by the Ambassador as
3 deemed best, how about carrying it on according to
4 the Foreign Minister's view? But the Premier con-
5 tradicted him and sent him to Mr. MATSUOKA in order
6 to persuade him to agree with the Premier's opinion.
7 Such was the position about 10:30 yesterday evening.
8 At 1:30 this morning Prince KONOYE telephoned me to
9 say that he had waited long for MATSUOKA's answer in
10 vain, so he had sent Director TERAZAKI to Mr. MATSU-
11 OKA to hold an enquiry into the circumstances. It
12 became clear that he had sent his instructions to
13 NOMURA by himself and not through the medium of the
14 competent director, and that he intended to call on
15 me at Hayama to work out remedial measures. I had
16 a conference with the chief secretary regarding poli-
17 cy in the event of the expected resignation en bloc
18 of the Cabinet. At this time when the tension pre-
19 vailing over the people regarding the present poli-
20 tical situation was so strong that even some higher
21 schools closed lest disturbances should arise an
22 overall political change for some unknown reason
23 should be avoided by all means. For this purpose we
24 should try everything possible to obtain, first of
25 all, the resignation of the Foreign Minister. In

1 the case of failure of our effort to make the For-
2 eign Minister resign, resulting in the resignation
3 'en bloc' of the Cabinet, we resolved to prevail up-
4 on the Emperor to issue an Imperial command to Prince
5 KONOYE to form a new Cabinet in order to tide over
6 the difficult political situation.

7 "I went to my office at 11 a.m. I was re-
8 ceived in audience by the Emperor from 1:35 p.m. to
9 2 p.m. to report on the above circumstances. Prince
10 KONOYE came to see me from Tokyo at 3 p.m. We had a
11 talk until 4:20 p.m. What I heard from the Premier
12 was almost the same as the information I had received
13 from the Chief Secretary.

14 "I thought it was advisable to urge Mr.
15 MATSUOKA's resignation to avoid a change of Cabinet,
16 but the Premier disagreed with me saying that if
17 this were done Mr. MATSUOKA and his party would make
18 propaganda to the effect that the cause which had com-
19 pelled his resignation was nothing but pressure on the
20 part of the U.S.A. upon our Government."
21
22
23
24
25

1 I now read from prosecution exhibit 1116,
2 extract of July 16, 1941 from the same diary:

3 "At 4 p.m. Marquis MATSUDAIRA telephoned me
4 to say that the resignation 'en bloc' of the Cabinet
5 had been decided at a special Cabinet meeting. I had
6 my audience with the Emperor from 4:10 p.m. to 4:20
7 p.m. Prince KONOYE tendered the general resignation
8 of his Ministry at 9 p.m. I proceeded to the Palace
9 in response to a summons from His Majesty to receive
10 an Imperial order as to the incoming Cabinet as
11 follows: 'As the Premier has tendered the general
12 resignation of his Ministry, we have ordered the
13 Lord Chamberlain to invite the President of the Privy
14 Council and the ex-Premiers to gather at the Palace
15 and to ask their opinions in order to reply to our
16 question as to who was the suitable person for the
17 post of Premier in the succeeding Cabinet.' I talked
18 with the Chief Secretary to arrange tomorrow's proce-
19 dure and went back home at 10:30 p.m."

20 THE PRESIDENT: We will recess for fifteen
21 minutes.

22 (Whereupon, at 1045, a recess was
23 taken until 1100, after which the proceed-
24 ings were resumed as follows:)
25

G
o
l
d
b
e
r
g
&
S
p
r
a
t
t

1 MARSHAL OF THE COURT: The Tribunal is now
2 resumed.

3 THE PRESIDENT: Mr. Fihelly.

4 MR. FIHELLY: Mr. President, the resignation
5 of the second KONOYE Cabinet was followed by a meeting
6 of senior statesmen on July 17, 1941 which led to
7 the formation of the third KONOYE Cabinet. This is
8 described in KIDO's diary under date of July 17,
9 which entry we now offer in evidence, International
10 Prosecution document No. 1632W (62).

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: Prosecution's document
13 No. 1632W (62) was given exhibit No. 1117.

14 (Whereupon, the document above referred
15 to was marked prosecution's exhibit No. 1117
16 and received in evidence.)

17 MR. FIHELLY: I now read from prosecution's
18 exhibit No. 1117, the entry of July 17, 1941:

19 "I left for Tokyo by train, leaving at
20 8:44 a. m. and proceeded to my office. I met HARA,
21 President of the Privy Council, WAKATSUKI, OKADA, ABE,
22 YONAI, HAYASHI and HIROTA at 1 p. m. Mr. KANROJI,
23 Vice Lord Chamberlain, delivered an Imperial message,
24 and then I expressed my opinion as follows:
25

"The Emperor has ordered me to gather

1 your opinions before I make a reply to the Throne
2 regarding the Premier of the succeeding Cabinet.
3 I, therefore, would like to have your frank opinions
4 on this matter as I had on a previous occasion. Of
5 course, as you all know, this is not a formal conference
6 and no resolutions will be passed, but I should like
7 to have a heart-to-heart talk in a friendly atmos-
8 phere. Our utterances in this place are expected
9 to be kept confidential.

10 "A copy of the Premier's resignation was
11 circulated for reference.

12 "WAKATSUKI questioned me as to the pur-
13 pose of the resignation and the diplomatic problems
14 (i. e. the clash of opinions between the Premier
15 and Foreign Minister). ABE stressed the necessity
16 of having Prince KONOYE as Premier; OKADA recom-
17 mended Prince KONOYE, saying that no other person
18 could exercise general control over both the Army
19 and political circles; HAYASHI held the same opinion
20 as ABE and OKADA; HARA did not differ from the above-
21 mentioned; HIROTA laid stress upon the reinforcement
22 of G. H. Q. and the formation of a military Cabinet,
23 but he consented to the opinion of the rest upon my
24 explanation of the establishment of G. H. Q. YONAI
25 said that Prince KONOYE was the most suitable man to

1 cope with the present difficulty. WAKATSUKI sup-
2 ported Prince KONOYE though his attitude was not
3 positive. We recommended Prince KONOYE unanimously
4 and closed our meeting at 2 p. m. The Emperor
5 and Empress returned to Tokyo from their Hayama
6 Villa. I visited the Emperor from 3:30 p. m. to
7 4:10 p. m. to report on the progress of our meet-
8 ing, while the Lord Chamberlain telephoned to
9 Prince KONOYE to request his presence at the
10 Palace. At 5:05 p. m. Prince KONOYE proceeded
11 to the Palace to receive the Imperial commands
12 form a cabinet. OHASHI, Vice Foreign Minister,
13 visited me at 5:50 p. m. to explain the draft
14 understanding between the U. S. A. and this
15 country."
16
17
18
19
20
21
22
23
24
25

1 MR. FIELLY: It has been proved by Court
2 exhibits 102 to 129, inclusive, that the third
3 KONOYE Cabinet contained the following accused in
4 the following offices: TOJO as War Minister;
5 KIMURA as Vice War Minister; SUZUKI, as Minister of
6 State and President of the Planning Board, all
7 retaining their former offices, and HIRANUMA, as
8 Minister of State instead of Home Minister. The
9 new Foreign Minister replacing MATSUOKA was Admiral
10 TOYODA.

11 The new Cabinet continued the policy of
12 the old with regard to French Indo-China and
13 associated matters, as appears from Prosecution
14 Exhibit 642, a wire of July 19, 1941, and from
15 Prosecution Exhibit 644, a wire of July 20, 1941.

16 As additional evidence on this same point,
17 we now offer in evidence International Prosecution
18 document No. 4052-F, a wire of Ott to Berlin dated
19 July 20, 1941.

20 THE PRESIDENT: Admitted on the usual terms.

21 CLERK OF THE COURT: Prosecution's document
22 No. 4052-F will receive exhibit No. 1118.

23 (Whereupon, the document above referred
24 to was marked prosecution's exhibit No. 1118
25 and received in evidence.)

1 MR. FIELLY: I now read from prosecution's
2 exhibit No. 1118:

3 "Telegram (Secret Cipher Process)

4 "Tokyo. 20 July 1941, 1.50 hours

5 "Arrival, 20 July, 4.20 hours.

6 "To be kept in Locked File

7 "No. 1297 of 19 July

8 "Most Urgent!

9 "In reference to telegram No. 1295
10 Pol VIII of 19 July.

11 "The translation of the Foreign Minister's
12 declaration follows:

13 " 'Entrusted with the post of Foreign
14 Minister, I permit myself to hereby introduce myself
15 to the German (the Italian) Ambassador in Tokyo.

16 " 'I respectfully request that you transmit
17 my regards to your Foreign Minister and to inform him
18 that I was unexpectedly entrusted with the post of
19 Foreign Minister in the new forming of the Cabinet.

20 " 'At the same time I would like to officially
21 inform you and your government of the change of the
22 Imperial Japanese Government. As you have perceived
23 from the announcement by the Imperial Government,
24 this governmental change was effected in order to
25 firstly carry out political measures suitable to the

1 international situation, and further to be able to
2 take, as soon as possible, the necessary steps for
3 strengthening the inner political situation of the
4 country. Outside of these points there existed no
5 grounds for the governmental change, and the hitherto
6 policy of the Japanese Empire will in no case undergo
7 any change. I request that you take particular
8 cognizance of the fact /that/ Japan's policy will
9 rest on the basis of the spirit and aims of the
10 Tripartite Pact, concluded between Japan, Germany,
11 and Italy. No change whatever will take place in
12 Japan's attitude toward Germany and Italy, as former
13 Foreign Minister MATSUOKA clearly expressed to you,
14 based on the cabinet decision of 2 July. I respect-
15 fully request that you also notify your government
16 of the above. I personally was active in the Navy
17 at the time of the conclusion of the Tripartite Pact,
18 and had a share in its realization. As successor of
19 former Foreign Minister MATSUOKA, I intend to continue
20 his foreign policy and to still strengthen the close
21 unity of Japan, Germany, and Italy, and march forward
22 in the common spirit. I express the hope that you,
23 Mr. Ambassador, will bestow upon me, just as the
24 former Foreign Minister, your valued friendship and
25 collaboration.' " Signed "OTT".

1 On July 21, as it appears from Prosecution
2 exhibit No. 1103 that a statement was issued with
3 respect to future Liaison Conferences, which state-
4 ment is very brief and I will read it from that
5 document.

6 "4.00 p. m. - on 21 July at the office of
7 the High Command situated at the Imperial Grounds,
8 it was decided that the Prime Minister, accompanied
9 by the Foreign Minister and other Ministers concerned,
10 should attend this place occasionally and exchange
11 views and project national policies with War, Navy
12 ministers and Staffs of the High Command."

13 In other words, Mr. President and Members
14 of the Tribunal, from now on we will have to get our
15 information as to attendances at Liaison Conferences
16 mainly from other sources, such as interrogations of
17 the defendants.

18 To show those who regularly attended Liaison
19 Conferences and the predominance of military and naval
20 personnel we now offer in evidence, first: the
21 parent document, I. P. S. 2512, and then the extracts
22 therefrom, both the parent document and extract coming
23 from the TOJO interrogation of March 15, 1946, the
24 extract being from pages 2 and 3.

25 CLERK OF THE COURT: Prosecution's document

1 No. 2512 will be given exhibit No. 1119 for identi-
2 fication only.

3 THE PRESIDENT: Admitted on the usual terms.

4 (Whereupon, the document above mentioned
5 was marked prosecution's exhibit No. 1119
6 for identification only.)

7 CLERK OF THE COURT: Prosecution's document
8 No. 2512-B, extract from the foregoing, will receive
9 exhibit No. 1119-A.

10 (Whereupon, the document above referred
11 to was marked prosecution's exhibit No. 1119-A
12 and received in evidence.)

13 MR. FIDELLY: I now read from prosecution's
14 exhibit 1119-A, TOJO Interrogation extract for March
15 15.

16 "Extract from Interrogation of Hideki
17 TOJO, 15 March 1946., p. 2-3.

18 "Q That members of the Liaison Con-
19 ference were concerned with agreements or disagree-
20 ments?
21

22 "A The ones who normally had this right were,
23 on the cabinet side, the Premier, Foreign Minister,
24 the War Minister, the Navy Minister, the President of
25 the Cabinet Planning Board. On the Supreme Command
side, there were the two Chiefs of Staff. Is

1 necessary, other cabinet members from the cabinet
2 side, and the Assistant Chiefs of Staff from the
3 Supreme Command side, also attended with this power,
4 but the decisions were not by majority. They were
5 unanimous. Discussions were ~~continued~~ until there
6 was unanimous agreement.

7 "Q ~~Is~~ it not true that the subject matter of
8 all the Imperial Conferences held in 1941 had been,
9 a short time previously, discussed by one or more
10 Liaison Conferences and a decision made?

11 "A Generally speaking, yes. That is to say,
12 in each case a proposal was decided upon which was
13 put before the Imperial Conference for a decision.

14 "Q All of the seven regular members of the
15 Liaison Conference, whom you have mentioned, also
16 attended the Imperial Conferences and voted, did
17 they not?

18 "A Yes, of course."
19
20
21
22
23
24
25

1 MR. FIEHELLY: To show what reaction Japan's
2 threatened moves in French Indo-China had in the
3 United States, we offer in evidence the cabled
4 warning of Ambassador NOMURA to TOGO dated July
5 23, 1941, I. P. S. document No. 1383E.

6 THE PRESIDENT: Admitted on the usual terms.
7 Mr. Blewett.

8 MR. BLEWETT: If your Honor please, I think
9 the prosecution said "TOGO."

10 MR. FIEHELLY: It would be TOYODA. I had
11 TOGO written. Of course it would be TOYODA.

12 CLERK OF THE COURT: Prosecution's document
13 No. 1383E will receive exhibit No. 1120.

14 (Whereupon, the document above referred
15 to was marked prosecution's exhibit No. 1120
16 and received in evidence.)

17 MR. FIEHELLY: I now read prosecution's exhibit
18 No. 1120:

19 "Top Secret. Dispatched: 23 July 1941, P. M.,
20 WASHINGTON

21 "Received: 24 July 1941, A. M., Foreign Office

22 "To: Foreign Minister TOYODA

23 "From: Ambassador NOMURA

24 "No. 550 (Urgent - Top Secret - Ambassador's

25 Code)

1 "In the telegrams of July 3 and July 19,
2 I have mentioned what the effects on Japanese-American
3 relations would be when our southern advance is con-
4 templated. Today, these effects have rapidly
5 developed to a stage where there is danger that
6 diplomatic relations between these two countries may
7 be severed. Sensing the urgency of the situation
8 from the conversation on Monday between TAKASUGI and
9 the Assistant Secretary of State, on Tuesday I requested
10 an interview with the Assistant Secretary of State.
11 The request was finally granted and I am scheduled
12 to interview him at 3:00 p.m. this coming Wednesday.
13 Last night I met a cabinet member who had hurriedly
14 returned from his trip. He too told me that Secretary
15 HULL was taking a rest for his health and that WELLES
16 was at a loss for what to do, and he intimated that
17 he could not do anything for us. He asked for my
18 opinion so I replied that I have not lost hope and
19 will do my best according to my belief. However, it
20 is believed that things will develop to a point just
21 short of a diplomatic break.

22 "The cause for the rapid change of American
23 public opinion toward JAPAN lies in the southward
24 advance. They consider that the southward advance is
25 the first step which will eventually lead to SINGAPORE

1 and the DUTCH EAST INDIES. The U. S. Navy officers
2 are presumed to have the same opinion. There is
3 criticism that on one hand JAPAN is planning her
4 southward advance, and on the other hand is trying
5 to conclude an agreement with AMERICA, and that the
6 Secretary of State is being deceived. With his
7 physical condition as such, there are also rumors
8 that he may resign. Furthermore, reports from TOKYO,
9 which tend to make our real intentions questionable,
10 keep coming in frequently. Some of the outstanding
11 ones are : (a) The negotiations carried on by us here
12 will be 'torpedoed' in TOKYO. (b) JAPAN has explained
13 to the Axis Powers that the adjustment of Japanese-
14 American diplomacy is a strategem to complete
15 preparations for a southward advance. There are rumors
16 that even the highest authorities have begun to listen
17 to these reports. Briefly speaking, even while the
18 negotiations are going on, there are attempts at
19 alienation and slander by the third countries. It
20 is obvious that there are opposition movements both
21 in JAPAN and AMERICA and the situation now is really
22 difficult.

23 "I suggest that the Japanese government lose
24 no time in manifesting to the American ambassador the
25 sincere intentions of JAPAN in regard to the adjustment

1 of Japanese-American diplomacy and the real intentions
2 of JAPAN's occupation in FRENCH INDO-CHINA. It is
3 also requested that you notify me as soon as possible
4 of the new cabinet's policy toward MEXICO. As a
5 man given a new lease on life, I am resolved to do
6 my utmost. (End)"

7 To show how Japan obtained its military
8 bases in French Indo-China and the part which Germany
9 played therein, we now offer in evidence International
10 Prosecution Document No. 4052-G, a wire of July 24th
11 from Ott to Berlin.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: Prosecution's document
14 No. 4052-G will receive exhibit No. 1121.

15 (hereupon, the document above referred
16 to was marked prosecution's exhibit No. 1121
17 and received in evidence.)

18 MR. FIDELLY: I now read the top identifying
19 marks from the first two paragraphs of that exhibit:

20 "Telegram (Secret Cipher Process)
21 "Tokyo 24 July 41 1150 hours
22 "Arrival 25 July 41, 1.30 hours
23 "No. 1253 of 24 July
24 "Most urgent!"
25

1 MR. FIEHELLY: The next offer in evidence
2 International Prosecution Document No. 847-C, which
3 is an official statement of the Japanese Bureau of
4 Information dated July 29th, announcing Japan's
5 occupation of French Indo-China.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 847-C will be given exhibit No. 1122.

9 (Whereupon, the document above referred
10 to was marked prosecution's exhibit No. 1122
11 and received in evidence.)

12 MR. FIEHELLY: I feel, Mr. President and
13 members of the Tribunal, that I should make this one
14 explanation in connection with the Japanese processing
15 of the documents. We were informed after the distri-
16 bution had been made to the Court and defense attorneys
17 that the date did not appear on the Japanese copies.
18 The date which appears on the original and on the
19 English copies should have been there, July 29, 1941.

20 I now read the identifying marks and the
21 first paragraph of prosecution's exhibit 1122.
22
23
24
25

G
r
e
e
n
b
e
r
g
&
B
a
r
t
o
n

"July 29 (SHOWA 16) 1941

"Announcement of the Information Bureau:

"With regard to the conclusion of the protocol between Japan and France, pertaining to the joint defense of French Indo-China, having hitherto been proceeding with the necessary measures for its conclusion and having obtained the Imperial sanction thereto on the 28th instant (yesterday), the Government has immediately instructed Ambassador KATO in France by telegram to sign the protocol. Ambassador KATO has signed and sealed the protocol on this 29th instant at Vichy, together with the Vice-Premier and Foreign Minister Darlan, thus making it effective immediately."

As tending to show what Japan's real purpose was in moving into French Indo-China, particularly the southern part, we now offer in evidence extract from the TOJO interrogation of February 13, 1946 which is IPS document 2502A, pages 5, 9 and 13, and will ask that the parent document be given an identifying number. I think that one is already in, so all that has to be done is to have this extract marked and offered in evidence.

THE PRESIDENT: The extract is admitted on the usual terms.

1 CLERK OF THE COURT: Prosecution's document
2 No. 2502A will be given exhibit No. 1123.

3 (Whereupon, the document above re-
4 ferred to was marked prosecution's exhibit
5 No. 1123 and received in evidence.)

6 MR. FIDELLY: I now read the extract from
7 prosecution exhibit 1123:

8 "Q. When was the first Imperial Conference
9 called in 1941?

10 "A. It was in July, I believe. I do not
11 remember definitely.

12 "Q. What was the basic reason for the
13 Imperial Conference of July 1941?

14 "A. I think that the basic reason was the
15 problem of dispatching troops to south Indo-China.

16 "Q. Whose plan was considered in refer-
17 ence to this problem?

18 "A. I don't remember definitely, but
19 essentially I think it was probably the War Minister's
20 plan. Before the Imperial Conference, there had been
21 a Liaison Conference which had practically settled
22 the matter. This was attended by the Prime Minister,
23 the Ministers involved and the Chiefs of Staff.

24 "Q. What Ministers were involved?

25 "A. I don't remember clearly, but the

1 Premier, the Foreign Minister, and the Army and
2 Navy Ministers were involved. I am not sure whether
3 the President of the Planning Board was there or not.
4 The two Chiefs of Staff were also present. That was
5 the conference."

6 Unless there is objection from the Court and
7 members of the defense, I will skip to page 3 which
8 is the pertinent part: (Reading)

9 "Q. Those same troops (referring to
10 stationing of troops in French Indo-China) would also
11 be of offensive assistance in case of war against
12 those countries named (England, America and Holland)?

13 "A. This is a matter which will be very
14 serious if not understood. After the decision for
15 war on the 1st of December 1941, offensive operations
16 were taken. The character of the operations changed
17 and they became offensive. However, at this time,
18 operations were defensive in character."

19 For the same purpose we now offer in evi-
20 dence International Prosecution document No. 4167 B
21 which is an extract from the TOJO interrogation of
22 February 15, '46, pages 3 and 4, and ask that the
23 parent document be given an exhibit No. for identi-
24 fication.

25 CLERK OF THE COURT: Prosecution's document

1 No. 4167 will be given exhibit No. 1124 for identi-
2 fication only.

3 (Whereupon, the document above re-
4 ferred to was marked prosecution's exhibit
5 No. 1124 for identification.)

6 THE PRESIDENT: The excerpt is admitted on
7 the usual terms.

8 CLERK OF THE COURT: The extract therefrom,
9 to wit, document No. 4167 B, will be given exhibit
10 No. 1124A.

11 (Whereupon, the document above re-
12 ferred to was marked prosecution's exhibit
13 No. 1124A and received in evidence.)

14 MR. FIELLY: I now read from prosecution's
15 exhibit 1124A the question and answer in that ex-
16 tract:

17 "Q When Japan attacked the United States,
18 what attacks were launched from French Indo-China?

19 "A An attack was made from Saigon, I be-
20 lieve, in French Indo-China southwest toward the east
21 coast of Thailand. Planes based in southern French
22 Indo-China also cooperated with the forces that were
23 making the landings. That was the main force, I
24 believe. However, there may have been some troop
25 movements south from Canton by ship. At the same

1 time, Navy carrier-based planes attacked Singapore.
2 These matters are from my recollection. They were
3 really command problems."

4 There is an entry in the KIDO Diary of July
5 31, '41 which we now offer in evidence, International
6 Prosecution document No. 1632W (63), which gives as of
7 this date certain views of the defendants NAGANO and
8 KIDO with respect to war with the United States.

9 THE PRESIDENT: Admitted on the usual terms.

10 CLERK OF THE COURT: Prosecution's document
11 No. 1632W (63) will be given exhibit No. 1125.

12 (Whereupon, the document above re-
13 ferred to was marked prosecution's exhibit
14 No. 1125 and received in evidence.)

15 MR. FIELLY: I now read from prosecution
16 exhibit No. 1125 the entry of 31 July '41, KIDO
17 Diary:

18"From 10:15 a.m. to 11 a.m. I was
19 received in audience by the Emperor, and His
20 Majesty was pleased to inform me about the report
21 of Admiral NAGANO, Chief of Naval General Staff,
22 in reply to the Imperial question regarding our
23 policy toward the U.S.A. as follows:

24 "1. His opinion regarding war was the
25 same as that of the former Chief of Naval General

1 Staff, Prince FUSHIMI, in that we should try to
2 avert war as much as possible.

3 "2. He seemed very strongly opposed to
4 the Tri-Partite Alliance. He also seemed to be of
5 the opinion that so long as such an alliance existed,
6 the adjustment of Japanese-American diplomatic
7 relations would be impossible.

8 "3. Suppose the adjustment of diplomatic
9 relations between the U.S.A. and Japan were impossible
10 and we were cut off from supplies of oil, our oil
11 stored up would run out in two years. In case a
12 war with the U.S.A. breaks out the supply of oil
13 would be only sufficient for one and a half years.
14 Under these circumstances, there would be no other
15 alternative but to take the initiative in operations
16 against them.

17 "4. According to the written report
18 submitted, the Emperor believed that we would win,
19 since it is so stated there. When NAGANO was asked
20 if it would be possible to win a sweeping victory
21 as in the Russo-Japanese War, he replied to the
22 Emperor that it was even doubtful whether or not
23 we would ever win, to say nothing of a great victory
24 as in the Russo-Japanese War.

25 "5. I was filled with trepidation by the

1 Imperial anxiety about the danger of having to wage
2 a desperate war.

3 "My answer to the Imperial speech was as
4 follows:

5 "1. Admiral NAGANO's opinion was too
6 simple.

7 "2. The U.S.A. recognized the existence
8 of the Tri-Partite Pact in our previous parley with
9 America, and I was very doubtful whether we could
10 deepen the confidence of the U.S.A. for us by the
11 act of annulment of the Pact, as the U.S.A. was a
12 nation which showed respect for international treaties.
13 We would only be held in contempt by the U.S.A.
14 We were not quite without means of restoring the
15 friendship between America and Japan. We must
16 deliberate on the matter in a constructive manner.
17 I would demand the Premier's careful consideration
18 on this point. I met Navy Minister OIKAWA at noon
19 to talk over Admiral NAGANO's report to the Throne.
20 The Chief Aide-de-Camp to the Emperor visited me at
21 1 p.m. to talk with me on the same subject."
22
23
24
25

1 Before leaving the month of July, 1941, we
2 will now introduce several documents to show that
3 during that month the Japanese fleet practiced on
4 what was generally known as the "YAMAMOTO Plan" to
5 attack Pearl Harbor which plan, as testimony will
6 later show, was the one which was actually used in
7 that attack. We first offer in evidence for that
8 purpose an extract from the interrogation of the
9 defendant NAGANO of March 21, 1946, pages 7, 8 and
10 9 of International Prosecution document 2495-A, and
11 we ask that the parent document be marked for
12 identification.

13 CLERK OF THE COURT: Prosecution's document
14 No. 2495 will be given exhibit No. 1126 for identifi-
15 cation only.

16 (Whereupon, the document above re-
17 ferred to was marked prosecution's exhibit
18 No. 1126 for identification.)

19 THE PRESIDENT: The extract is admitted on
20 the usual terms.

21 CLERK OF THE COURT: The extract therefrom,
22 to witn, 2495-A, will be given exhibit No. 1126A.

23 (Whereupon, the document above re-
24 ferred to was marked prosecution's exhibit
25 1126A and received in evidence.)

1 I now read from prosecution exhibit 1126A
2 the interrogation extract of 21 March, pages 7, 8,
3 and 9:

4 "Q Admiral, who was the originator of the plan
5 to attack Pearl Harbor?

6 A After being studied by the Combined Fleets
7 the plan was brought forth in the spring of 1941 by
8 Admiral YAMAMOTO. It was a great secret in the Com-
9 bined Fleets whereby Admiral YAMAMOTO and only one
10 or two other officers knew of it.

11 "Q When was the plan as prepared by Admiral
12 YAMAMOTO first called to your attention, Admiral?

13 "A I first found out about this plan officially
14 in October 1941. I heard prior to that that such a
15 plan was being studied.

16 "Q Admiral, when did you become Chief of the
17 Naval General Staff?

18 "A In April 1941.

19 "Q And is it not a fact that this plan of
20 Admiral YAMAMOTO's was called to your attention at
21 that time?

22 "A No, it was not. I believe it was at that
23 time that YAMAMOTO first thought of the plan.

24 "Q Now, Admiral, you stated that the first
25 time the plan had been called to your attention

1 officially was in October 1941. When was the plan
2 called to your attention unofficially?

3 "A About July I heard that they were training
4 or practicing such a plan.

5 "Q And is it not a fact, Admiral, and again
6 I ask you not to answer me too literally but to ans-
7 wer my questions from your knowledge even though you
8 were not personally present and from your knowledge
9 as Naval Chief of Staff as to what was going on in
10 connection with Naval activities in the light of the
11 fact that you were Chief of Staff and as such had gen-
12 eral knowledge of Naval activities, is it not a fact
13 that the Japanese Navy started practicing to place
14 into execution the YAMAMOTO plan to attack Pearl Har-
15 bor in the spring of 1941?

16 "A The plan came into being in the spring but
17 it was not practiced until summer.

18 "Q And what do you mean by summer?

19 "A I am not sure but I believe it was about
20 the beginning of July. The Combined Fleets went into
21 Kagoshima and there they practiced coming in low over
22 the mountains and dive bombing.

23 "Q And is it not a fact also, Admiral, that in
24 addition to those maneuvers, that the fleet also
25 practiced with a specially designed torpedo for use

1 in shallow water such as was known to be the situa-
2 tion in Pearl Harbor?

3 "A The torpedo was completed during those
4 maneuvers. The Combined Fleets spent a lot of time
5 trying out this torpedo and experimenting with it."
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 For the same purpose we now offer in evidence
2 International Prosecution document 2497 A which is an
3 extract from the interrogation of the defendant NAGANO
4 of March 27, '46, pages 1 - 3, and we ask that the
5 parent document be given an identification number.

6 CLERK OF THE COURT: Prosecution's document
7 No. 2497 will be given exhibit No. 1127 for identifi-
8 cation only.

9 (Whereupon, the document above re-
10 ferred to was marked prosecution's exhibit
11 No. 1127 for identification.)

12 THE PRESIDENT: The extract is admitted on
13 the usual terms.

14 CLERK OF THE COURT: The extract therefrom
15 will be given exhibit No. 1127A.

16 (Whereupon, the document above re-
17 ferred to was marked prosecution's exhibit
18 No. 1127A and received in evidence.)

19 MR. FIHELLY: I now read from the first
20 part of prosecution exhibit 1127A the first two or
21 three questions and answers which refer to this par-
22 ticular summer matter:

23 "Q Now, Admiral, I believe yesterday or the
24 day before you mentioned, or you stated that the
25 Japanese Navy started practicing on the Pearl Harbor

1 plan some time in the summer of 1941. That was
2 correct, was it not?

3 "A Yes, I believe the Fleet started training
4 in the summer as you say.

5 "Q Do you remember just about what month in
6 the summer of 1941, Admiral?

7 "A I don't remember too clearly but I am sure
8 it was some time in the summer.

9 "Q Would you say it was possibly some time
10 in July, 1941?

11 "A Yes.

12 "Q As I have the details here, the experi-
13 ments and training were held at Sukamo, Saiki,
14 Kagoshima and Konoye. Is that correct?

15 "A Sukamo is a very suitable place for training
16 and the Navy has consistently used it for such, but
17 I believe the training of dive bombing and coming
18 in low over the mountains which was utilized in the
19 attack on Pearl Harbor was practiced at Kagoshima."

20
21
22
23
24
25

1 THE PRESIDENT: That interrogation was on
2 the 27th of March, this year. You may have said so;
3 I did not notice it.

4 MR. FIELLY: For the same purpose we now
5 offer in evidence International Prosecution document
6 2498-B which is an extract from the interrogation of
7 the defendant SHIMADA of January 23, 1946, page 33;
8 and we ask that the parent document be given an
9 identification number.

10 CLERK OF THE COURT: Prosecution's document
11 No. 2498 will be given exhibit No. 1128 for identifi-
12 cation only.

13 (Whereupon, the document above re-
14 ferred to was marked prosecution's exhibit
15 No. 1128 for identification.)

16 THE PRESIDENT: The extract is admitted on
17 the usual terms.

18 CLERK OF THE COURT: Prosecution's document
19 No. 2498-B will receive exhibit 1128A.

20 (Whereupon, the document above re-
21 ferred to was marked prosecution's exhibit
22 No. 1128A and received in evidence.)

23 MR. FIELLY: I now read from prosecu-
24 tion exhibit 1128A the first seven or eight questions
25 and answers appearing thereon that pertain to this

1 particular matter. (Reading)

2 "Q YAMAMOTO proposed his Pearl Harbor attack
3 plan to the General Staff early in 1941, did he not?

4 "A I heard that he offered it in January of
5 1941.

6 "Q At that time he was Commander-in-Chief
7 of the combined fleet, was he not?

8 "A Yes.

9 "Q Admiral NAGANO authorized him to proceed
10 with a study of the plan in March 1941, did he not?

11 "A In that point I don't know the date, but
12 I think it was later.

13 "Q But it was early in 1941, wasn't it?

14 "A I think it was perhaps May or June.

15 "Q May or June when his plan was adopted
16 for study?

17 "A At first the ordinary plan did not have any
18 plans for the attack on Pearl Harbor, but it was made
19 formal in May or June. The studying and training
20 of a squadron by YAMAMOTO was begun in May or June
21 of 1941, I think ...

22 "Q You know that the Navy started developing
23 a shallow water torpedo early in 1941, don't you?

24 "A Yes, I know very well.

25 "Q That was because the Navy was well aware

1 that the water at Pearl Harbor was shallow water,
2 wasn't it?

3 "A Yes.

4 "Q And the fleet practiced with the use of
5 such a torpedo throughout the summer of 1941, did
6 it not?

7 "A Yes, I think so ..."

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 And, in passing from this same general sub-
2 ject, prosecution exhibit 809, page 1, shows also
3 from that official document of the United States
4 War Department that their investigation showed that
5 the Japanese fleet did practice during the summer of
6 '41 on the "YAMAMOTO Plan."

7 As also giving the views of the Japanese
8 naval officers at this time, we offer in evidence
9 International Prosecution document 1632W (64), an
10 entry from the KIDO Diary of August 2, 1941.

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: Prosecution's document
13 No. 1632W (64) will receive exhibit No. 1129.

14 (Whereupon, the document above re-
15 ferred to was marked prosecution's exhibit
16 No. 1129 and received in evidence.)

17 MR. FIDELLY: I now read from prosecution
18 exhibit 1129 the entry of 2 August, '41:

19 "I went to my office at 10 a.m. Prince
20 KONOYE visited me at 11 a.m. He said he was annoyed
21 to find that there was an observable tendency for
22 the tough elements in the Navy to gather strength,
23 a tendency which would be a great hindrance in the
24 way of the maintenance of harmony between the Su-
25 preme Command and the Government. If the U.S.A.

1 adopted decisive measures such as to cut us off from
2 supplies of oil, we would run out of oil. Under
3 these circumstances, we would be threatened by an
4 acute national crisis, if we made any mistake in our
5 diplomatic moves. Hence an understanding between the
6 War and Navy Ministers concerning our fundamental
7 national policy should be secured as soon as possible,
8 and if a complete agreement is not reached, there
9 would be nothing for the Government to do but to re-
10 sign en bloc.

11 "The Army and the Navy would then assume
12 charge of the administration of the country. I
13 talked with the Chief Secretary on the same matter."
14
15
16
17
18
19
20
21
22
23
24
25

1 THE PRESIDENT: Mr. Logan.

2 MR. LOGAN: If the Tribunal please, although
3 we have the direction to refer these translation mat-
4 ters to the Translation Section, I would like to
5 point out, in order that there be no mistake about it,
6 that according to our translation the last half of
7 our entry is a direct statement made by Marquis
8 KIDO as to his opinion and not the opinion of KONOYE
9 as set forth in the prosecution's document.

10 THE PRESIDENT: The matter is referred to
11 Major Moore.

12 MR. FIHELLY: As giving the general views of
13 the defendant KIDO at this time as to the war with
14 the United States and Japan's advance southward,
15 we now offer in evidence International Prosecution
16 document No. 1632W (66), an entry from the KIDO Diary
17 of August 7, 1941.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution's document
20 No. 1632W (66) will be given exhibit No. 1130.

21 (Whereupon, the document above re-
22 ferred to was marked prosecution's exhibit
23 No. 1130 and received in evidence.)

24 MR. FIHELLY: I now read from prosecution
25 exhibit No. 1130 the entry of August 7, '41:

1 "Prince KONOYE proceeded to the Palace
2 at 3:30 p.m. He talked with me from 4 p.m. to 4.30 after
3 his interview with the Emperor. I expressed my
4 opinions as follows, and asked him to give them
5 full consideration.

6 "1. The situation we are facing now is
7 very serious.

8 "2. We must immediately decide our
9 national policy by holding a meeting between the
10 Government and the Army without loss of time.

11 "3. According to reports received to
12 date, we are not strong enough to fight with the
13 U.S.A. and the Soviet at the same time.

14 "4. We are facing a very serious situation
15 which could be easily reduced to a simple problem
16 such as oil, by making a little difference in our
17 viewpoint.

18 "5. According to the Navy, the quantity
19 of oil in store was so moderate that it would barely
20 supply us throughout two years during peace, and
21 in case of war we would not have enough for more
22 than 1½ years, but the Army estimates there is 1
23 year's supply for war.

24 "6. If the above mentioned were true, we
25 must reach the conclusion that our war with the U.S.A.

1 would be a hopeless one.

2 "7. The Dutch East Indies and the northern
3 part of Saghalien would be the chief source of oil
4 supply after we were cut off from our American supplies.

5 "8. To occupy Singapore and the Philippine
6 Islands was an essential prerequisite to a successful
7 landing in the Dutch East Indies. Since oil wells
8 would be destroyed during these actions, it would
9 not be possible to obtain oil in necessary quantities
10 for 1½ years.

11 "9. If we attack the Dutch East Indies,
12 the U.S.A. would declare war against Japan. The
13 long-distance transportation of oil under a constant
14 menace of submarines and airplanes would be very
15 dangerous and the result would fall short of our
16 expectations.

17 "10. If there were miscalculation about
18 oil supplies, we would face a very serious situation
19 which might lead to our defeat.

20 "11. We could not do what we wanted on
21 account of the lack of our national power. Although
22 the situation was different in its external appearance,
23 we might be compelled to exercise the same self-restraint
24 as we did after our victory in the Sino-Japanese
25 War in 1895."

1 "12. We should be resolved to toil through
2 ten years of hard struggles.

3 "13. Meanwhile we should do everything
4 to restore friendly relations between the U.S.A. and
5 Japan. And we must try to secure the materials
6 which we need.

7 "14. Our ultimate objective is Japan's
8 advance to the Southern Regions, and in order to
9 attain this object, a ten-year plan has been mapped
10 out as follows:

11 "a. Establishment of heavy industries and
12 machine-tool industries.

13 "b. Establishment of a synthetic oil
14 industry.

15 "c. Expansion of ocean lines and shipping."
16
17
18
19
20
21
22
23
24
25

1 The reaction of the United States to Japan-
2 ese movements in the south is again shown by Inter-
3 national Prosecution document No. 1457 which is a
4 wire of August 16 from NOMURA which we now offer in
5 evidence.

6 I would like to make this additional state-
7 ment for the assistance of the Tribunal and counsel:
8 As processed, this document is combined with the wire
9 of September 30, 1941 from TOYODA to NOMURA which we
10 will not read at this time but later, when we reach
11 that date in presentation of our evidence. To save
12 time, we will offer both wires and will only read
13 the earlier wire of August 16 from IPS document
14 1457 at this time.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution's document
17 No. 1457 will receive exhibit No. 1131.

18 (Whereupon, the document above re-
19 ferred to was marked prosecution's exhibit
20 No. 1131 and received in evidence.)

21 MR. FIELLY: I will now read from prosecu-
22 tion's exhibit 1131 just the descriptive remarks
23 from the top of the document and the first few
24 lines referring to Thailand:
25

 "Telegram from Ambassador NOMURA to Foreign

1 Minister TOYODA, dated 16 Aug. 1941 (No. 703 Secre-
2 tariat Code, Secret.)

3 "Concerning your telegram No. 480.

4 "I. As I often reported, the relations
5 between Japan and U.S. were brought to a very criti-
6 cal moment and it hangs now on a hair. The next move-
7 ment on the part of Japan may lead to a sudden change.
8 It is generally feared by both Japanese and Americans
9 that it will do so in case Japan advances into Thailand."
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 We next offer in evidence IPS document No.
2 2534 D which is a certified press item with respect
3 to the day, August 23, 1941, as showing that the
4 Cabinet on August 22 approved a national Commodity
5 Mobilization Plan.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 2534 D will receive exhibit No. 1132.

9 (Whereupon, the document above re-
10 ferred to was marked prosecution's exhibit
11 No. 1132 and received in evidence.)

12 THE PRESIDENT: Do you intend to read
13 that, Mr. Fihelly?

14 MR. FIHELLY: Yes, the first few paragraphs
15 of it, your Honor.

16 I will now read from prosecution exhibit
17 1132 the headline, descriptive remarks, and the first
18 two paragraphs:

19 "Speedy Expansion of Armaments And
20 Autarchy Of East Asia Sought.

21 "COMMODITY MOBILIZATION PLAN STUDIED.

22 "Program for 2nd Quarter Of Fiscal Year
23 Decided As Proposed by Governor of Planning Board;
24 Key Points Of Scheme Announced.

25 "The Government, at the Cabinet meeting on

1 August 22, formally decided the national commodity
2 mobilization plan for and after the 2nd quarter of
3 the 1941-2 fiscal year, as proposed by Lieut-General
4 Teiichi SUZUKI, governor of the Planning Board.

5 "The key points of the scheme are: (1)
6 Prompt expansion of armaments; (2) Establishment of a
7 system of autarchy for important resources in the
8 East Asia Co-prosperity Sphere, especially the
9 maintenance of steel and coal production; (3) Maint-
10 enance of the lowest limit for the nation's living
11 necessities; and (4) Strict harmony between the
12 commodity mobilization scheme and the marine trans-
13 portation plan."

14 THE PRESIDENT: We will adjourn until half
15 past one.

16 (Whereupon, at 1200, a recess was
17 taken.)
18
19
20
21
22
23
24
25

- - -

A
b
r
a
m
&
M
o
r
s
e

1 AFTERNOON SESSION

2
3 The Tribunal met, pursuant to recess, at
4 1340, the HONORABLE JU-AO-MEI, Member from the
5 Republic of China, not sitting.
6

7 - - - -

8 MARSHAL OF THE COURT: The International
9 Military Tribunal for the Far East is now resumed.

10 THE PRESIDENT: Mr. Smith.

11 MR. SMITH: If your Honor please, I beg
12 please to bring up a matter that I think is of urgent
13 importance. Last Sunday afternoon Colonel Warren,
14 defense counsel, returned from the United States and
15 brought with him a new statement by former American
16 Ambassador Grew. The statement was dictated by the
17 Ambassador and was intended for the information of
18 this Court. It is only a page and a half in length
19 and it materially qualifies and at least clarifies
20 the affidavit of Mr. Grew which was read in evidence on
21 Friday. Further, it seems to eliminate three de-
22 fendants from this case, as we read it and, your Honor,
23 we think in fairness to the former Ambassador, and
24 certainly for the enlightenment of this Court and
25 that the Court not get a wrong impression from the
affidavit read last Friday, that we have leave to

1 read this at this time. Your Honor, the necessary
2 copies have been supplied for the Court and also
3 for the translation, so it could be done simultaneously.

4 THE PRESIDENT: It seems to me it is de-
5 fense evidence to be given later, unless the prose-
6 cution are prepared to adopt it as theirs and tender

1 it. If they are satisfied with its authenticity --
2 and I don't suppose they question Colonel Warren's
3 word -- well, they ought to tender it.

4 Mr. Higgins.

5 MR. HIGGINS: Mr. President, if it has the
6 effect that counsel says it has, that is, to eliminate
7 three of the defendants from this case, certainly the
8 prosecution is not interested in presenting this
9 evidence for the prosecution.

10 THE PRESIDENT: If you don't want to tender
11 it, certainly we won't force you to do so.

12 MR. HIGGINS: No, sir.

13 THE PRESIDENT: It is in the same position
14 as evidence taken on interrogatory. It would not
15 follow that when we received that we would accept it
16 immediately. It would have to be tendered as part
17 of the defense evidence.

18 MR. SMITH: I do not ask anything more, your
19 Honor.

20 THE PRESIDENT: You will have to wait, Mr.
21 Smith, unless the prosecution are prepared to oblige
22 you by accepting it and tendering it.

23 Mr. Fihelly.

24 MR. FIELLY: Mr. President and Members of
25 the Tribunal, just prior to lunch we had arrived

1 chronologically at the end of August, 1941. At
2 this point Premier KONOYE --

3 THE PRESIDENT: I should remind the defense
4 of what I said on Friday, that if they desire to
5 apply for a commission or for interrogatories to be
6 administered to Mr. Hull, or any of those gentlemen
7 in the United States or elsewhere than Japan, they
8 should make application to me in Chambers.

9 MR. SMITH: Your Honor, could I say one
10 more word in response to your last observation? If
11 I could read Mr. Grew's last statement there wouldn't
12 be any necessity for me to take his interrogatory in
13 the United States. That is one of the points.

14 THE PRESIDENT: Well, we have given our
15 answer. It depends on the attitude of the prosecution.

16 MR. FIELLY: At this point Premier KONOYE
17 presented on August 28 a memorandum to President
18 Roosevelt with regard to the proposed meeting be-
19 tween them. This was followed by the President's
20 reply on September 3rd. Both of these items will
21 be dealt with later in the evidence of Mr. Ballantine

22 We have already seen shown that during July
23 of 1941 the Japanese fleet practiced and rehearsed
24 the YAMAMOTO Plan of the Pearl Harbor attack. Our
25 evidence now will show that the first week in September

1 Japan further practiced that particular plan of
2 attack by war games which were held here in Tokyo
3 at the Naval War College.

4 In this connection, I refer to prosecution
5 exhibit 809 and read from page 1 what is stated
6 there in connection with those games. On page 1 it
7 is stated in that exhibit from 2 to 13 September 1941
8 the final war games convened at the Naval War College
9 in Tokyo, participated in by a large number of top
10 ranking naval officers. The problems set were two-fold;
11 first, to the working out of the details of the naval
12 air strike at Pearl Harbor; secondly, the establish-
13 ment of a schedule of operations for the occupation
14 of Malaya, Burma, the Netherlands East Indies, the
15 Philippine Islands, and Solomon and Central Pacific
16 Islands, including Hawaii. The outline of condi-
17 tions under which these problems were to be worked
18 out constituted the essence of the forthcoming order
19 specifying the actual attack.

20 There was a further part of prosecution ex-
21 hibit 1127A, the interrogation of the defendant
22 NAGANO, of March 27, 1946, which we would like to
23 read from at this time, in that same connection.

24 I will read from page 1 of the exhibit,
25 the last two questions and answers on the page:

1 "Q And later, in August of 1941, is it not a
2 fact, Admiral, that the final plans were made at the
3 Naval War College in Tokyo?

4 "A I believe preparations by the Naval War
5 College were started in October, but a considerable
6 amount of research was done. The results were later
7 given out to us and that was how we first heard of
8 the attack officially, and at that time the commander
9 of the fleets put forth the plan which was later
10 adopted.

11 "Q When you say, Admiral, that you later were
12 first officially advised of the results, do you mean
13 by that that you were advised of the results of the
14 attack on Pearl Harbor?

15 "A After the results of the research of the
16 Naval War College had been put forth the commander
17 of the fleets explained the Pearl Harbor plan.

18 "Q As a matter of fact, Admiral, the time in
19 which the plans were perfected at the Naval War
20 College was in late August or early September, 1941,
21 rather than in October, was it not?

22 "A Do you mean the plan for the attack on
23 Hawaii or the general research that was carried on by
24 the Naval College?

25 "Q I refer to the time, Admiral, when the plans

1 were perfected at the Naval War College in Tokyo
2 at which time various teams were made up, such as
3 the "N" Team, the "A" team and the "E" team.

4 "A I don't remember very well, but I believe
5 it may well have been toward the end of September."

6 Last question and answer:

7 "Q In these games at which the plans were
8 perfected for the attack upon Pearl Harbor, Admiral,
9 you acted as umpire, did you not?

10 "A No, the head umpire was Admiral YAMAMOTO.
11 I had no connection with the war games, but I went to
12 see the results when they were over."
13
14
15
16
17
18
19
20
21
22
23
24
25

1 MR. FIEHELLE: We next offer in evidence
2 International Prosecution's document No. 2535A which
3 is a report of the Cabinet meeting on September 5, as
4 the result of which land and sea transportation was
5 put on a war basis.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 2535A will receive exhibit No. 1133.

9 (Whereupon, the document above referred
10 to was marked prosecution's exhibit No. 1133 and
11 received in evidence.)

12 MR. FIEHELLE: I now read prosecution's exhibit
13 No. 1133:

14 "Excerpt from 'The Osaka Mainichi and the
15 Tokyo Nichi Nichi', Sunday, September 7, 1941.

16 "Government to Expedite Building of Ships
17 and Freight Cars.

18 "Traffic Mobilization.

19 "Concrete Plans being Drafted by Communications
20 and Railway Offices.

21 "Based on the traffic mobilization plan for
22 the 1941-42 fiscal year, the Railway Office will
23 positively embark on the construction of freight cars,
24 while the Communications Office will establish the
25 shipbuilding control association in order to systematize

1 the ship building industry, it is expected.

2 "The Government, at the Cabinet meeting on
3 Friday, September 5, decided the traffic mobilization
4 plan in order to place land and sea transportation on
5 a wartime basis to meet the requirements of the times."

6 We now offer in evidence an extract from the
7 KIDO Diary dated September 5, 1941, IPS Document
8 No. 1632W 67, as indicating that preparations were
9 being made to hold another Imperial Conference.

10 THE PRESIDENT: Admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution's document
12 No. 1632W (67) will receive exhibit No. 1134.

13 (Whereupon, the document above referred
14 to was marked prosecution's exhibit No. 1134 and
15 received in evidence.)

16 MR. FIEHELLE: I now read prosecution exhibit
17 No. 1134:

18 "September 5, 1941 - (Extract)

19 "At 4.30 p.m. the Premier proceeded to the
20 Palace and submitted to the Throne a plan relative to
21 the holding of a Council in the Imperial presence.
22 The Premier said that as the Emperor asked many ques-
23 tions as to our policy towards U.S.A. from the point of
24 view of war strategy, he had advised the Emperor to
25 summon the Chief of General Staff and the Chief of

1 the Naval General Staff. I, therefore, proceeded to the
2 Palace to advise the Emperor to follow the Premier's
3 advice. I requested Aide-de-camp YOKOYAMA to call the
4 Chief of the General Staff, the Chief of the Naval
5 General Staff, and the Premier to the Palace. At
6 6 p.m. they were granted an audience by the Emperor
7 to answer the Imperial questions."

8 The second of the four important Imperial
9 Conferences of 1941 was held on September 6. In this
10 connection, we offer in evidence an extract from the
11 KIDO Diary of that date, International Prosecution
12 document No. 1632W (68).

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: Prosecution's document
15 No. 1632W (68) will receive exhibit No. 1135.

16 (Whereupon, the document above referred
17 to was marked prosecution's exhibit No. 1135 and
18 received in evidence.)

19 MR. FIEHELLE: I now read prosecution's
20 exhibit No. 1135:

21 "September 6th, 1941 (Extract)

22 "From 9.40 to 9.55 a.m. I visited the Emperor
23 in response to the Imperial summons. He said that
24 he would like to ask some questions at the Conference
25 in his presence. Then I advised His Majesty that

1 TOYODA, Foreign Minister; TOJO, War Minister; OIKAWA,
2 Navy Minister; OGURA, Finance Minister; SUZUKI, Pres-
3 ident of Planning Board; TANABE, Home Minister; SUGIYAMA,
4 Chief of Army General Staff; NAGANO, Chief of Naval
5 General Staff; TOMITA, Chief Secretary of the Cabinet;
6 MUTO, Director of Military Affairs Bureau, War Ministry;
7 OKA, Director of Military Affairs Bureau, Navy Ministry;
8 TSUKADA, Vice Chief of Army General Staff; ITO, Vice-
9 Chief of Naval General Staff; HARA, President of the
10 Privy Council."

11 I now refer to Court exhibit, prosecution
12 exhibit No. 588, a document found at the Foreign
13 Ministry, and call attention to certain parts thereof,
14 the document itself having been put in evidence and
15 other parts read by Mr. English. The part with respect
16 to September 6 is found on page 2 of the document, the
17 first part being devoted to the July 2 Imperial Con-
18 ference. I now read the pertinent part:

19 "Resolution adopted through the Imperial
20 Conference on September 6, 1941.

21 "Summary. Execution of the Empire's Policy.

22 "In view of the present acute situation, es-
23 pecially the aggressive movements the United States,
24 Britain and the Netherlands have assumed; the situation
25 of Soviet Russia; and the suppression of our national

1 power; Japan will execute her Southern advance policy,
2 related in the 'principle of Japan's Policy According
3 to the Change of Situations,' as follows:

4 "a. In order to secure self-existence and
5 self-defense, Japan, with a determination for a war
6 with the United States (Britain and the Netherlands),
7 will have completed her preparations by the end of
8 October.

9 "b. Meanwhile, in pace with the above, Japan
10 will strive for the fulfillment of her demands through
11 diplomatic measures with the United States and Britain.

12 "The minimum matters of demand to be accomplished
13 in Japan's negotiations with the United States (Britain),
14 and the limit Japan is able to come to an agreement in
15 this connection will be stated on another sheet.

16 "c. If, through the above negotiations, our
17 demands have no hope of fulfillment by the beginning
18 of October, we shall immediately determine to wage war
19 against the United States (Britain and the Netherlands).

20 "All measures, save for those concerned with the
21 South, will be executed according to the pre-arranged
22 national policy, and we shall particularly endeavor to
23 check the formation of a Russo-American combined force
24 against Japan."
25

G
o
l
d
b
e
r
g
&
S
p
r
a
t
t

1 I now offer in evidence International
2 Prosecution document No. 2507-A, which contains
3 extracts from the TOJO interrogation of February
4 23, 1946, pages 1, 2, 3, 5, and 6, and also Interna-
5 tional Prosecution document No. 2509-A, which is an
6 extract from the TOJO interrogation of March 11,
7 page 4. In each instance we offer the extracts in
8 evidence, and, as we did this morning, ask that the
9 parent document be given a number for identification.

10 CLERK OF THE COURT: Prosecution's document
11 No. 2507 will be given exhibit No. 1136, for identi-
12 fication only.

13 (Whereupon, the document above-
14 mentioned was marked prosecution's exhibit
15 No. 1136 for identification.)

16 THE PRESIDENT: The extracts are admitted on
17 the usual terms.

18 CLERK OF THE COURT: Prosecution's document
19 No. 2507-A will be given exhibit No. 1136-A.

20 (Whereupon, the document above
21 referred to was marked prosecution's exhibit
22 No. 1136-A and received in evidence.)

23 CLERK OF THE COURT: Prosecution's document
24 No. 2509 will be given exhibit No. 1137 for identifi-
25 cation only.

1 (Whereupon, the document above-
2 mentioned was marked prosecution's exhibit
3 No. 1137 for identification only.)

4 CLERK OF THE COURT: The excerpt therefrom,
5 likewise admitted, will be given exhibit No. 1137-A.

6 (Whereupon, the document above
7 referred to was marked prosecution's exhibit
8 No. 1137-A and received in evidence.)

9 MR. FIDELLY: I now read from page 2, the
10 extracts from 5 and 6 of the interrogation from
11 exhibit 1136-A.

12 "Q For what purpose was the Imperial Conference
13 of 6 September called?

14 "A It was called to decide the question of what
15 national policy should be adopted in view of the
16 situation at that time. As I recall, the main ques-
17 tion was that of war or peace and what attitude should
18 be decided upon in either case.

19 "Q At this conference, it was decided to con-
20 tinue negotiations with America and hope for a break
21 by the middle ten days of October, was it not?

22 "A Yes, of course I think so, but I have no
23 materials here and it is difficult for me to make
24 categorical statements.

25 "Q It was also decided that if the break did not

1 come by the middle ten days of October that war would
2 be undertaken against America?

3 "A It was decided to plan for a break by the
4 middle ten days of October. The decision for war was
5 not made at this conference.

6 "Q Who attended -- "

7 That is all there is on that extract. I am
8 sorry.

9 Getting on to 1137-A, I read the question
10 and answer on that page, page 1 from page 4 of the
11 March 11 TOJO interrogation:

12 "Q Is it not true that, during the period
13 between 6 September 1941 and 10-20 October 1941,
14 preparations for war were pushed?

15 "A As I said before, at that conference which
16 dealt with peace or war, it was decided that both
17 peace preparations and war preparations would be
18 pushed. (Read back to the witness who agreed as to
19 its correctness.) It was only after that decision
20 that preparations were pushed."
21
22
23
24
25

1 MR. FIHELLY: On September 6th also the
2 Japanese Ambassador handed to the Secretary of State
3 a revised proposal. This particular proposal will
4 be treated of in detail during the testimony of
5 Mr. Ballantine later on in this period.

6 We next offer in evidence a further
7 extract from the KIDO Diary dated September 11th,
8 I. P. S. Document No. 1632W(69), in order to show
9 that on that date the defendant TOJO and KIDO dis-
10 cussed the preparations for war with the United
11 States.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: Prosecution's document
14 No. 1632W(69) will receive exhibit No. 1138.

15 (Whereupon, the document above referred
16 to was marked prosecution's exhibit No. 1138
17 and received in evidence.)

18 MR. FIHELLY: I now read a brief extract
19 from prosecution's exhibit 1138: the extract of
20 September 11, 1941.

21 "War Minister TOJO visited me after his
22 withdrawal from the presence of the Emperor and
23 explained the result of an investigation concerning
24 the preparations for war with the U.S.A."

25 MR. LOGAN: I would like to call the

1 Tribunal's attention to the fact that the extract
2 just read does not conform to the statement made by
3 the prosecutor before he read it. The discussion
4 was not concerning preparations for war, but was
5 concerning the result of an investigation.

6 MR. FIEHELLY: Concerning the preparation
7 of war.

8 I can assure you, Mr. President and the
9 Members of the Tribunal, that I will be glad to be
10 corrected at any time by the defense because I
11 have no desire to make any unfair inference in
12 connection with any document.

13 THE PRESIDENT: There seems to be no
14 substantial difference between what you said and
15 what the document revealed.

16 MR. FIEHELLY: I did not think there was,
17 your Honor.

18 We next offer in evidence International
19 Prosecution Section Document No. 1457-B, a telegram
20 of September 12th from NOMURA to TOYADA to show that
21 NOMURA at this time made statements to Japan in
22 connection with withdrawing her troops in China.

23 THE PRESIDENT: Admitted on the usual terms.

24 CLERK OF THE COURT: Prosecution's document
25 No. 1457-B will be given exhibit No. 1139.

1 (Whereupon, the document above referred
2 to was marked prosecution's exhibit No. 1139
3 and received in evidence.)

4 MR. FIELLY: I shall read just the identi-
5 fying top remarks and the first two paragraphs of
6 exhibit 1139:

7 "TRANSLATION OF TELEGRAM FROM NOMURA TO
8 TOYADA, dated September 12, 1941.

9 "Top Secret by Embassy Code.

10 "From Ambassador NOMURA, Afternoon, September
11 11, Showa 16 (1941), Washington (by secret).

12 "To Foreign Minister TOYADA, Arrived at
13 the Ministry, Afternoon, September 12, Showa 16 (1941).

14 "Telegram No. 810.

15 "The difficult points of the present
16 Japanese-American negotiations for the adjustment of
17 diplomatic relations are, as you are well aware of by
18 my repeated telegrams, the problems regarding the
19 withdrawal of Japanese troops from China and stationing
20 of troops for anti-Comintern purposes, and I think
21 the U.S.A. is in the position where she cannot recognize
22 the stipulated terms between our side and the Nanking
23 Government upon this matter, not only in the light of
24 the public opinion in the country, but also from the
25 viewpoint of her obligation as a mediator toward China."

1 "Consequently in the American proposal of 21 June
2 there is included a clause to the effect that the
3 evacuation should be effected as soon as possible in
4 compliance with the stipulations to be newly agreed
5 upon between Japan and China. And her attitude having
6 been more stiffened of late, she has mentioned the
7 complete evacuation of troops within two years after
8 the restoration of peace (one of the causes of the
9 above stiffening is believed to be the result of her
10 talks with the Chinese side), and it is felt that
11 toward the new proposal advanced from our government,
12 the U.S.A. apparently shows no serious disapproval
13 in points other than that of the evacuation, against
14 which she seems to have strong opposition.

15 "And, after all, according to my observation,
16 there is a great possibility for the negotiation to
17 split on the rocks in the final stages due to this
18 evacuation problem. To avoid it, therefore, I
19 earnestly wish that following the general line of
20 the American request and without making reference to
21 the stationing of troops, you deliberate how to deal
22 with the proposal for the evacuation of troops within
23 two years after peace restoration."
24
25

1 We next offer in evidence TOYODA's reply
2 of September 13, which is contained in International
3 Prosecution document No. 1457. This is the same wire,
4 by the way, which was introduced this morning. Do
5 you have the exhibit number (addressing the Clerk of
6 the Court)? We mentioned this morning, Mr. President
7 and Members of the Tribunal, in connection with
8 exhibit No. 1131, that there was another wire processed
9 with it that we would read when we came later in
10 September to that. This is the wire I referred to,
11 and I believe it is already in evidence with the other,
12 is it not, Mr. Clerk?

13 THE PRESIDENT: It is.

14 CLERK OF THE COURT: Yes.

15 MR. FIEHELLY: I will read that particular
16 wire, or paragraph 3 from that wire, on page 3, para-
17 graph 3:
18

19 "III. I understand that the U. S. wants
20 us to acknowledge her so-called four fundamental
21 principles. But without even settling the matters in
22 the telegram quoted at the beginning (tel. 529) of the
23 present one we are not in a position to swallow it at
24 present. Besides (if we do so) it is very much feared
25 that the world may think we did it owing to American
pressure as we pointed out before, and judging from

1 American views that she wants to negotiate before-
2 hand with England, Holland, China and other countries,
3 I entertain some apprehensions lest they may try to
4 revive the organization of the 'Nine Countries Treaty.'
5 So it is also not proper to do so at present. The
6 form of negotiation between Japan and the U. S.
7 should be adopted. As this is of special importance,
8 beware of it please! (We are not in a position to
9 hinder U. S. from her actual negotiation with Britain,
10 Holland and others, and in reality it is impossible
11 to do it, and again we will not concern ourselves
12 with it. At the bottom, what we want to say is that
13 we refuse to be induced to a council or an agreement
14 among numerous countries.) "

1 MR. FIEHELLY: We next offer in evidence
2 International Prosecution Document No. 2536-A, the
3 report of the Cabinet meeting of September 12th
4 adopting a plan for labor mobilization so as to
5 induce a supply of sufficient labor for the increased
6 production of munitions.

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Prosecution's document
9 No. 2536-A will receive exhibit No. 1140.

10 (Whereupon, the document above referred
11 to was marked prosecution's exhibit No. 1140
12 and received in evidence.)

13 MR. FIEHELLY: I now read from prosecution
14 exhibit No. 1140:

15 "Extract from 'The Tokyo Nichi Nichi' -
16 September 13, 1941.

17 " 'TOTAL LABOR SERVICE BY PEOPLE' SYSTEM
18 DEFINITELY LAUNCHED.

19 " 'Cabinet Approves.

20 " '1941 Workers Mobilization Plan is Adopted
21 at Friday Meeting.

22 " 'As a preparatory step for the establish-
23 ment of the people's total labor service system, the
24 plan for the people's labor mobilization during 1941
25 was adopted in the regular Cabinet meeting on

1 September 12.

2 " 'The scheme, jointly formulated by the
3 Planning Board and the Welfare Office, is based on
4 the emergency labor policy decided in a recent
5 Cabinet session, and is aimed at insuring the supply
6 of sufficient labor for the increased production of
7 munitions.

8 " 'In view of the importance of the project,
9 the Cabinet Ministers present posed pointed questions
10 to Governor Lieut. General Teiichi SUZUKI of the
11 Planning Board, who explained the plan to them.

12 " 'The scheme contains concrete measures
13 for the creation of the people's total labor service
14 system'

15
16 On September 22 Foreign Minister TOYODA
17 presented to the United States Ambassador in Japan
18 the text of the basic terms of peace which Japan
19 was prepared to offer to China. This matter will be
20 dealt with in detail in Mr. Ballantine's testimony
21 later in the period.

22 On September 25 he also submitted revised
23 proposals to the United States incorporating these
24 terms of peace with China, which likewise will be
25 treated by Mr. Ballantine in his testimony.

We next offer in evidence International

1 Prosecution document 1632W(71), an extract from the
2 KIDO Diary of September 26, this being offered to show
3 that on that date the defendant KIDO and Premier
4 KONOYE discussed at some length the possibility of
5 war being declared upon the United States on Octo-
6 ber 15.

7 THE PRESIDENT: Admitted on the usual terms.
8 Why the delay?

9 CLERK OF THE COURT: Prosecution's document
10 No. 1632W(71) will receive exhibit No. 1141.

11 (Whereupon, the document above
12 referred to was marked prosecution's exhibit
13 No. 1141 and received in evidence.)

14 MR. FIELLY: I now read this brief extract
15 contained in exhibit No. 1141:

16 "September 26th, 1941 - (Extract)

17 "I met Prince KONOYE at 4 p. m. and talked
18 with him until 5:15 p. m. He stated that he had no
19 confidence, and there was no choice for him but to
20 consider his resignation if the Military insisted on
21 starting a war on 15 October. I hoped that he would
22 be prudent."
23
24
25

1 MR. FIHELLY: As again showing war prepara-
2 tions which Japan was making, at this time we next
3 offer in evidence an extract from the KIDO Diary of
4 September 29th, International Prosecution Document
5 No. 1632W(72).

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 1632W(72) will be given exhibit No. 1142.

9 (Whereupon, the document above referred
10 to was marked prosecution's exhibit No. 1142
11 and received in evidence.)

12 MR. FIHELLY: I now read prosecution's
13 exhibit No. 1142, the extract dated September 29,
14 1941:

15 "I visited the Emperor from 10.55 a.m. to
16 11.35 a.m. He requested me to make an investigation
17 regarding the stock of rubber and tin in the U.S.A.,
18 the amount of rubber resources in South and Central
19 America, and other places where the United States
20 would be able to obtain those resources. Hence I
21 contacted the President of the Planning Board through
22 the Chief Secretary to the Cabinet. The President HARA
23 said that if our diplomatic parley with Washington
24 would end in an entire failure and as we would have
25 to make our grave resolution, the coming Council in

1 the Imperial presence should not be such a formal
2 one as usual, but we must have a full discussion
3 of the matter instead and include senior statesmen
4 in the Council. I promised him that I would
5 consider this carefully."

6 On October 2nd, the United States Secretary
7 of State handed to the Japanese Ambassador an oral
8 statement in connection with the pending negotiations
9 which will be explained in the evidence of Mr.
10 Ballantine.

11 We next offer in evidence an extract from
12 the KIDO Diary dated October 7th, International
13 Prosecution Document No. 1632W(75) to show that
14 as of that date the defendant TOJO was urging war
15 with the United States and that certain elements in
16 the Navy joined or agreed with him.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF COURT: Prosecution's document
19 No. 1632W(75) will receive exhibit No. 1143.

20 (Whereupon, the document above referred
21 to was marked prosecution's exhibit No. 1143
22 and received in evidence.)

23 MR. FIDELLY: I now read prosecution's
24 exhibit No. 1143: -- the extract from the KIDO Diary,
25 October 7th, 1941:

1 "TOMITA, the Chief Secretary to the Cabinet,
2 visited me at 12.40 a.m. to talk about our negotiations
3 with the U.S.A. He stated as follows: 'The Army
4 was of the opinion that there was no room left for
5 the continuance of the parley, while the Navy held
6 the reverse view. But the officers of medium standing
7 of the Army and Navy were agreed in their strong
8 determination. The Navy's desire for the Premier was
9 that he should immediately declare his resolution
10 and assume leadership in order to meet the serious
11 situation. First of all, the Premier should talk with
12 the War Minister who has a resolute opinion, in order
13 to promote a better understanding between them, after
14 that a meeting between the Premier, the War Minister
15 and the Navy Minister would be desirable to settle
16 our national policy in respect of the war against
17 the U.S.A."

18 We next offer in evidence International
19 Prosecution Document No. 2593-D-4 and International
20 Prosecution Document No. 15-I. These two prosecution
21 documents constitute four parts of a whole telegram,
22 parts one and three are in the first document, 2593-D-4,
23 and parts two and four are in the second part; but,
24 as I say, that makes one complete integrated telegram.
25

THE PRESIDENT: Admitted on the usual terms.

1 CLERK OF THE COURT: Prosecution's document
2 No. 2593-D-4 will be given exhibit No. 1144; and
3 document 15-I--

4 THE PRESIDENT: Make it two exhibits.

5 CLERK OF THE COURT (Continuing) -- will be
6 given exhibit No. 1145.

7 (Whereupon, the documents above referred
8 to were marked prosecution's exhibits Nos 1144
9 and 1145 respectively and received in evidence.)

10 MR. FIELLY: I now read from part 2 of the
11 October 8th telegram, which would be the next to the
12 last page of exhibit No. 1145.

13 THE PRESIDENT: Aren't you going to read any
14 part of 1144?

15 MR. FIELLY: I will be glad to read it all
16 if the Court wants me to read it, sir. I will be
17 glad to start and read it all.

18 THE MONITOR: Mr. Fihelly, will you put the
19 earphone on, please? Will somebody tell Mr. Fihelly
20 to please put his earphone on?

21 Which document are you reading, please,
22 1144?

23 MR. FIELLY: I am now going to read the
24 entire document as the Court has requested.

25 THE MONITOR: Which document, sir?

1 MR. FIHELLY: The entire document. The
2 first one is 1144 and the next one, I believe you
3 gave the number 1145. I will now read the entire
4 document.

5 THE MONITOR: Thank you, sir. Also, on the
6 leading statement, will you please follow your leading
7 statement?

8 THE PRESIDENT: I inquired whether you were
9 going to read 1144. I did not request you to do so;
10 but, perhaps you had better do so.

11 MR. FIHELLY: I will be glad to do so, your
12 Honor, because of the importance of the integrated
13 part.

14 THE PRESIDENT: This is a vital stage.

15 MR. FIHELLY: I now read exhibit No. 1144,
16 part 1 of four parts, from Washington to Tokyo,
17 October 8, 1941, marked "SECRET". The word "Purple"
18 is there. No. 907.

19 (Reading): "(To be handled in government code.
20 Departmental Secret) Re your #637 b.

21 "I will tell you more about this after I
22 interview the Secretary of State a little later on.
23 However, my views at present are as follows:

24 "(1) According to the American memorandum of
25 the 1st, the Americans realize that there is unanimity

1 on the various principles and fundamentals which
2 they have stuck to. However, they are dissatisfied
3 because you did not express a desire to go into a
4 detailed discussion. The Americans believe in the
5 four principles as the basis on which relations between
6 the two countries must be adjusted. The Americans
7 consider that it is necessary to achieve unanimity
8 on the various questions which have been fundamentally
9 explored by both nations in the unofficial talks held
10 so far in order to settle the Pacific question. They
11 have always felt that if conversations between the
12 leaders of the two countries are to be realized
13 immediately, it must be definitely understood that these
14 principles are to be applied to the concrete problems in
15 the Pacific, and they desire a further clarification
16 of our views."

17 The next, part 3 of 4, has the same heading,
18 October 8th, the same general markings.

19 "Judging by the impression I got from the
20 above mentioned facts and my contacts with them so far,
21 they figure on first bringing about unanimity on the
22 fundamental questions on which our two countries
23 have so far failed to see eye to eye, and then gradu-
24 ally to turn to the other matters. They evidently
25 feel that so long as there is disagreement on the

1 aforementioned points it would be vain and futile
2 to discuss the various other problems, therefore, up
3 to now the United States has done no more than
4 express her opinions on the other matters in the
5 proposal of June 11. (As I have wired you, some
6 changes were made in the last clause.)

7 "In their proposal of June 21, they made
8 it evident that they were going to stick to this
9 as the basis for negotiations. The latest reply of
10 theirs shows, I am sure, that they are entirely
11 disregarding our own proposal of the 25th. This
12 shows that they are going to stick to their ideas
13 as they stand: however, it will still be necessary
14 for us to talk through certain matters concerning
15 A. The matter mentioned in the annex of the clause
16 concerning the China incident. B. Discontinuing
17 activities designed to help CHIANG. C. The stip-
18 ulation concerning Nanking Treaty in the clause
19 concerning the China incident (an agreement between
20 Japan and China); joint mediation and the right of
21 self-protection mentioned in the clause concerning
22 our attitude toward the European war; the question
23 of eliminating the annex to the clause concerning
24 commerce between the two nations."

25 And now going to the other two parts of

1 the telegram, I read those parts from exhibit No.
2 1145:

3 "From: Washington (Nomura)

4 "TO: Tokyo

5 "October 8, 1941

6 #907 (Part 2 of 4)

7 "To be handled in government code. Depart-
8 mental Secret).

9 "Thus, they hope that we will make ourselves
10 clearer on these points. In our proposal of the
11 6th and in the explanation thereof, not only did we
12 limit them and narrow what we had discussed in our
13 informal conversations thus far, but we also cur-
14 tailed extremely the guarantees we offered concern-
15 ing the aforementioned principles. We equivocated
16 concerning guarantees that we would not engage in
17 armed aggression. We limited the area to which the
18 principle of non-discriminatory treatment would apply
19 in the Pacific, and on the excuse that China was
20 geographically near to us, we limited the very
21 principle itself. On the question of stationing and
22 evacuating troops in and from China (including French
23 Indo-China), the Americans are making some demands
24 which we in principle have objections to. Moreover,
25 they figure that they must be much surer of our

1 attitude toward the three-power pact. These points
2 you probably already know."
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. FIEHELLY: And the last part of the telegram bearing the same date, part 4 of 4.

1 "Concerning the four principles mentioned
2 in (2) during the conversation mentioned in your
3 #634^a, the American Ambassador talked like I had
4 already reached an understanding with Secretary HULL
5 on this. As I have told you in various messages,
6 they shelved the question in both letter and spirit,
7 but on April 16 when Secretary HULL presented me
8 with these four points (see my #277^b), I certainly
9 was in no position to accept such a proposal before
10 getting instructions from my home government, nor
11 would I give the impression that we would accept
12 them. Please note that. Nevertheless, these
13 are very abstract principles, and I figured that
14 there would be some elasticity in their application.
15 This country applies them with prudence to other
16 foreign nations; for example, in peace conferences,
17 discussions of principles are extremely circum-
18 locutionary, so I do not think you need to be
19 troubled over this."
20
21
22
23
24
25

1 There is an entry in the KIDO Diary,
2 October 9, International Prosecution's document
3 1032W(64), which we now offer in evidence to show
4 KIDO's views as to war with the United States as of
5 that date -- 1032W(76).

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's docu-
8 ment No. 1632W(76) will receive exhibit No. 1146.

9 (Whereupon, the document above
10 referred to was marked prosecution's exhibit
11 No. 1146 and received in evidence.)

12 MR. FIHELLY: I now read prosecution's
13 exhibit No. 1146:

14 "Extract from Entry from Marquis KIDO's
15 Diary, 9 Oct. 41.

16 "I met Prince KONOYE at 10:30 a. m. after
17 his audience with the Emperor. He was quite uneasy
18 about the future of the parley with Washington, and
19 his hopes for a satisfactory compromise were very
20 discouraging. I expressed my opinion for his infor-
21 mation as follows:

22 "1. The resolution of the Council in the
23 Imperial presence on the 6th of September seemed to
24 me too outright. It was not the conclusion of ex-
25 haustive discussion in my opinion."

1 "2. Judging from the situation both at
2 home and abroad, the war with the U. S. A. would
3 offer us little chance of victory, so we had better
4 reconsider it.

5 "3. It would be inadvisable to declare
6 war against the U. S. A. immediately.

7 "4. The Premier should clarify his inten-
8 tion to concentrate our national efforts upon the
9 completion of the Chinese Incident.

10 "5. We should acquire freedom without pay-
11 ing any attention to economic pressure by the U. S. A.

12 "6. The Premier should demand ten or fif-
13 teen years of hard struggle on the part of our nation
14 to establish a highly defensive nation.

15 "7. If necessary, we were ready to put
16 belligerency in action to promote the completion of
17 the Chinese Incident and to use our whole military
18 force in China in order to realize our plans against
19 Kuaming and Chungking.

20 "Hachiro ARITA visited me to talk about the
21 American problems and the general resignation of the
22 Cabinet."

23 THE PRESIDENT: We will recess for fifteen
24 minutes.

25 (Whereupon, at 1445, a recess

1 was taken until 1500, after which the
2 proceedings were resumed as follows:)
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

G
r
e
e
n
b
e
r
g
&
B
a
r
t
o
n

1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Fihelly.

4 MR. FIHELLY: Mr. President and Members of
5 the Tribunal, on October 12, 1941 there was a meeting
6 at Premier KONOYE's house concerning which we have
7 certain written documents.

8 THE PRESIDENT: Mr. Logan.

9 MR. LOGAN: If the Tribunal please, with
10 regard to the last exhibit in evidence, 1146, I
11 think it is rather important, and I would pray the
12 Tribunal's indulgence to read the defense's trans-
13 lation of that document at this time.

14 THE PRESIDENT: That would be two trans-
15 lations of every document. That is the kind of
16 language Japanese is.

17 MR. LOGAN: But the point is this, your
18 Honor: that if, later, all our corrections or some
19 of them are accepted and it appears many pages later
20 in the record, the complete document will not be
21 there. It will mean reference back to the document
22 which the prosecution has read, and it will have to
23 be corrected on that document in the record.

24 THE PRESIDENT: But we could never let you
25 say, "Well, that is the prosecution's translation.

1 Now listen to ours." That would double the length
2 of the trial. And, if we admit it for one document,
3 why not for all? We have already given you author-
4 ity -- the Tribunal has -- to go to the Language
5 Section, Mr. Logan. We cannot do any more than that.
6 We are very much concerned about the loss of time
7 involved in the translations. There is far more
8 delay here than there was in Germany on that ac-
9 count.

10 MR. LOGAN: May we have a direction to
11 this effect then, if the Tribunal please: that when
12 it comes back from the Language Section, that the
13 entire document be permitted to be read rather than
14 a reference to a page and a line? For example, here
15 is a document with many changes necessary in it,
16 and it would not make any sense if just small por-
17 tions of the original document as read were changed;
18 whereas, if we were permitted to read the entire docu-
19 ment as changed, I think that would serve the purpose.

20 THE PRESIDENT: I am reminded by a colleague
21 that I should repeat what I told you last week: to
22 arrange these things with the prosecution out of
23 court. If you differ, go to the Translation Section;
24 if a correction is made, let the party presenting
25 the document read the document as corrected.

1 Mr. Fihelly.

2 MR. FIELLY: I just mentioned the fact that
3 we had certain written documents in connection with
4 this meeting in Premier KONOYE'S home on October 12.

5 We first offer the KIDO Diary entry of
6 October 12, International Prosecution document
7 1632W (77) to show what happened there.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document
10 No. 1632W (77) will receive exhibit No. 1147.

11 (Whereupon, the document above re-
12 ferred to was marked prosecution's exhibit
13 No. 1147 and received in evidence.)

14 MR. FIELLY: I now read prosecution exhibit
15 No. 1147, the extract from KIDO's Diary, October 12,
16 '41:

17 "At 10 a.m. Kango KOYAMA called on me
18 to express deep resentment at the recent political
19 situation, urging all possible efforts of the
20 Premier. Major-General KATO visited my house to
21 explain the Gendarmerie's interpretation of present
22 conditions. TOMITA, Chief Secretary to the Cab-
23 inet, visited me and stated as follows, 'The War,
24 Navy and Foreign Ministers and President of the
25 Planning Board held a meeting in the Prince's house

1 at Ogikubo at 2 p.m. to discuss the adjustment of
2 diplomatic relations between the U.S.A. and Japan.
3 The War Minister calls for great resolution since
4 he sees no hope for arrival at an understanding
5 between Japan and the U.S.A.; however, that if he
6 could hear an explanation such that he could persuade
7 himself to be sure of arrival at an understanding
8 why, of course, he didn't like war. The Navy Minister
9 said that we should try to avoid war as much as
10 possible. Now this country was standing at the cross-
11 roads, having two ways to choose; one is the restora-
12 tion of friendly relations by diplomatic negotiations;
13 the other the declaration of war on the U.S.A. If
14 the former was our choice, we must bring about a
15 full understanding between the two countries by
16 convincing the U.S.A. of the sincerity of our friend-
17 ship towards her, for a war after a patched-up
18 compromise would be most undesirable. Anyhow,
19 the Premier's strong leadership was the most urgent
20 matter. The Premier expressed his firm conviction
21 of the successful conclusion of the parley, asking
22 their cooperation with his policy. The Foreign
23 Minister was of the opinion that he was not quite
24 sure of the outcome of the parley, although he could
25 not flatly deny that the meeting would end in success."

1 "They made the following agreement among themselves
2 on the advise of the War Minister: Our demands
3 regarding the stationing of troops in China should
4 not be altered; the successful results of the Chinese
5 Incident should be made secure by all means; and we
6 should further our parley based on these agreements,
7 ceasing our preparations for war."
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 The next document which we have, relating
2 as to what took place at the meeting, is Premier
3 KONOYE's own account which is International Prose-
4 cution document No. 497 which we now offer in evi-
5 dence.

6 THE PRESIDENT: Admitted on the usual terms.
7 Mr. Blewett.

8 MR. BLEWETT: If the Court please, this
9 document appears to be a self-serving declaration by
10 a decedent.

11 THE PRESIDENT: That goes to weight only,
12 Mr. Blewett; and matters of weight or lack of weight
13 should be urged when the defense are putting their
14 case or, during their summation, at the end of their
15 case.

16 MR. BLEWETT: If I might state, your Honor,
17 the certification indicates that this matter was
18 dictated to one secretary, and the affidavit is taken
19 by another.

20 THE PRESIDENT: According to this deponent,
21 it was corrected in KONOYE's handwriting. That is
22 enough to adopt it.

23 MR. BLEWETT: It was dictated, sir, to one
24 secretary. Only portions of it were in the hand-
25 writing of the decedent.

1 THE PRESIDENT: Corrections were. The
2 corrections would be evidence of adoption by KONOYE
3 to whose handwriting this particular deponent can
4 swear.

5 MR. BLEWETT: I will enter an exception
6 sir, for the record.

7 THE PRESIDENT: The exception is noted.
8 Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document
10 No. 497 A will receive exhibit No. 1148.

11 (Whereupon, the document above re-
12 ferred to was marked prosecution's exhibit
13 No. 1148 and received in evidence.)

14 THE PRESIDENT: Mr. Higgins.

15 MR. HIGGINS: With the Tribunal's permission,
16 I now read prosecution's exhibit No. 1148:

17
18
19
20
21
22
23
24
25

1 "Facts Pertaining to the Resignation of
2 the 3rd KONOYE Cabinet.

3 "The 3rd KONOYE Cabinet started off with
4 the great mission of readjusting the Japanese-
5 American relations. For this reason, the retirement
6 of Foreign Minister MATSUOKA was brought about and
7 as only that was done, it can be said that all
8 efforts were solely exerted toward the accomplish-
9 ment of this great mission ever since the formation
10 of the Cabinet. However, America's attitude was
11 by no means definite. There were various opinions
12 as to why her attitude was not definite, but the
13 opinion of the War Minister was that since America's
14 basic policy is to advance into Asia, the reason for
15 America's indefinite attitude is fundamental and
16 consequently she lacks sincerity even in her negotia-
17 tion. However, we continued our negotiation with the
18 view that a temporary compromise and conciliation may
19 be possible in regard to the current situation, even
20 if our basic traditional policies may have been
21 different.

22 "Recently the negotiation reached a state
23 of temporary deadlock due to the occupation of French
24 Indo-China by our troops, but as it became known
25 that we wouldn't go any further, the situation

1 eased somewhat and the negotiation was again resumed.
2 Hence, a message was sent to President Roosevelt on
3 August 28 proposing a conference. Nevertheless,
4 since President Roosevelt, in reply to this, stated
5 that he was willing to hold a conference, but would
6 like to have a general agreement reached in regard
7 to the important matters, at least, as a premise,
8 an Imperial Conference was held on September 6 to
9 determine the basis of the counter-measure for this.

10 "As a result of the Imperial Conference,
11 it was decided to direct all our efforts toward the
12 diplomatic negotiation to the end, but to resolutely
13 assume a war policy in the event no means for the
14 conclusion of the negotiation is reached by early
15 October.
16

17 "Since there was a time limit of by early
18 October, the negotiation was carried on hurriedly and
19 as it didn't progress as expected, September passed
20 and October came with the negotiation still not
21 going smoothly. At about that time, the supreme
22 command group became boisterous and stated that they
23 will wait until October 15, but won't extend it beyond
24 that. Therefore, I requested the assembly of the War
25 Minister, the Navy Minister, the Foreign Minister and
the President of the Planning Board at OGIGAIISO for

1 a final conference on the afternoon of October 12.

2 "However, on the day before the conference,
3 Chief OKA of the Naval Affairs Bureau came and in
4 talking with him, he stated that with the exception
5 of the Naval General Staff, the brains of the Navy
6 don't want a Japanese-American war, but since the
7 Navy, herself, can not say 'she can't do it' in
8 view of her approval of the decision of the Imperial
9 Headquarters, the Navy Minister will propose to leave
10 it in the hands of the Prime Minister at tomorrow's
11 conference; so we would like you to decide on con-
12 tinuing the diplomatic negotiation.

13 "Under such circumstance, this important
14 conference was held at 2 p.m. on October 12 at OGIGAIISO.
15 When the Prime Minister in opening the conference,
16 stated:

17 "At last, we have come to the stage where
18 we must decide whether it is to be war or peace. In
19 regard to this, let us first study whether there is
20 any hope for a successful conclusion of the diplomatic
21 negotiation.

22 "War Minister TOJO, expressing the Army's
23 point of view, stated:

24 "'There is absolutely no hope for a successful
25 conclusion of the diplomatic negotiation.' "

1 "However, Navy Minister OIKAWA stated:

2 "Let us leave the decision as to whether
3 there is any hope for a successful conclusion of
4 the diplomatic negotiation in the hands of the Prime
5 Minister and the Foreign Minister and as for the
6 Navy, she will comply with that decision. If there
7 is any hope for a successful conclusion of the dip-
8 lomatic negotiation, we want the negotiation to be
9 continued. Today, we are standing on the cross-roads
10 of peace or war. Until today, we have been making
11 preparations for war on the one hand, while carrying
12 on diplomatic negotiations on the other, but today
13 we are actually confronting the crisis of peace or war.
14 That is, if we are to rely on diplomatic negotiation,
15 we would like it to be carried out thoroughly. Our
16 preparations will fall behind if our attitude is to
17 carry on diplomatic negotiation and then decide on
18 war in the midst of it because it won't go smoothly.
19 If we are to depend on diplomatic negotiation, we want
20 to make it a success at all cost. Since we are standing
21 on this important cross-road today, we want the decision
22 of the Prime Minister at this time. We want to comply
23 with this decision and go ahead.'

24 "Against this opinion of the Navy Minister,
25 the War Minister replied:

1 "The Premier, of course, is shouldering a grave res-
2 ponsibility, but we, too, are responsible as advisers.
3 Hence, the determination of this great problem cannot
4 be left solely in the hands of the Premier. I be-
5 lieve that there is no hope for a successful conclusion
6 of the diplomatic negotiation, but if the Foreign Min-
7 ister is fully confident of success, it may be given
8 further consideration. Does the Foreign Minister
9 have a confidence of success?"

10 "Since Foreign Minister TOYODA's views were
11 asked, the Foreign Minister stated:

12 "Since there is the second party, I can't
13 say that I am confident of success, but, generally
14 speaking, the important points in the negotiation
15 with America are:

16 "(1) The Tripartite Alliance.

17 "(2) The economic problem in China.

18 "(3) The question of keeping our troops/
19 T.N. in China/.

20 "These three items are the obstacles. Of
21 these, some sort of agreement can be reached in re-
22 gard to item 1 and 2, but the third item pertaining
23 to the question of keeping our troops/T.N. in China/
24 is the most difficult one. Since America is empha-
25 tically demanding for the complete withdrawal of our

1 troops, I believe a compromise may be reached if we
2 agree to a complete withdrawal of troops as a principle
3 and station troops according to the time and place as
4 specifically designated by an agreement or something
5 between Japan and China, but I believe even this will
6 be considerably difficult.'

7 "When this opinion was expressed, the War
8 Minister, objecting emphatically, stated:

9 "'We can't yield on the question of with-
10 drawal of troops. It must be done with occupation as
11 its general principle and the remaining troops with-
12 drawn. Since we have made such a tremendous sacri-
13 fice in this China Incident, it would be alright pro-
14 perly speaking, to sever her territory, but in view of
15 the KONOYE statement, that, too, cannot be done. Be-
16 sides, a complete withdrawal of troops now cannot be
17 done.'

18 "Hence, the Prime Minister stated:

19 "'If the War Minister insists, as he does,
20 it is not a question of whether there is any hope for
21 a successful conclusion of the diplomatic negotiation.
22 There definitely is no hope. As for the Foreign Mini-
23 ster, he could consider it from the standpoint of the
24 general situation and yield more. Only then, can it
25 be said that there is hope for a successful conclusion

✓

1 of the negotiation. The Navy Minister is incessantly
2 clamoring for the decision of the Premier, but I can-
3 not decide on war at this time. Since I, as expressed
4 in the opinion of the Foreign Minister, believe there
5 is still hope of success, I cannot help but adopt the
6 Foreign Minister's opinion if I must decide on one or
7 the other.'

8 "At this point, the War Minister retorted:

9 "It is still early for the Premier to cast
10 a decision. We would like to have him consider the
11 matter once more.'

12 "As it was mutually decided to reconsider the
13 matter, the conference of four and a half hours was
14 brought to an end at 6:30 p.m. However, through this
15 conference, the position of each became clear.

16 "Upon considering this matter fully, I find
17 that, if I, at the conference, had accepted the pro-
18 posal of the Navy Minister to leave it in the hands of
19 the Premier and decided on 'war' by yielding to the
20 opinion of the War Minister, the decision would have
21 stood since the Navy Minister could not have opposed
22 it and that it certainly would have brought about a
23 matter of grave concern to the Empire. On looking back,
24 I cannot help but feel my flesh creeping.

25 "On the night (8:00 - 10:30) of October 13,

1 I requested Foreign Minister TOYODA to call on me in
2 the Japanese room of my official residence. When I in-
3 quired about the subsequent developments of the negotia-
4 tion with America, he expressed the opinion that we in-
5 evitably must give up our occupation, that it wouldn't
6 matter if the withdrawal is made with a time limit or
7 summerily without it and that there is no means of
8 settlement other than this.

9 "Prior to the Cabinet meeting on the morning
10 of October 14, I requested the War Minister to call on
11 me. As a result of my deliberation and based on last
12 night's opinion of the Foreign Minister, I told him as
13 follows:

14 "In regard to the question of occupation,
15 the result is clear if done according to the War Mini-
16 ster's contention, but if we were to yield on our pre-
17 tence and take the reality, I believe that there is
18 still hope in the negotiation. At this time, I wonder
19 if we shoul~~a~~n't make up our mind to readjust the Jap-
20 anese-American relationship, the future of which is
21 very risky? I deeply realize my responsibility for
22 the Sino-Japanese Incident, but with the China
23
24
25

1 Incident still unsettled after four years, I wonder
2 if we should further extend our hands toward the South.
3 If it can be settled in one or two years, that is an-
4 other matter, but judging from the opinion of experts,
5 I find that no one thinks that it can be settled in
6 one or two years. The concensus of opinions, prac-
7 tically, is that if the arrow should leave the bow,
8 it may take five or ten years.'

9 "This is Count KANEKO's story, but at the
10 time of the commencement of hostilities between Ja-
11 pan and Russia, Emperor Meiji, too, was unable to
12 make a decision. So, early on the morning of Febru-
13 ary 4, when the final Imperial conference was to be
14 held, he called in Prince ITO and asked him if there
15 was any hope of winning the war with Russia. Hence,
16 Prince ITO replied, 'There isn't any hope of winning,
17 but it may be possible to prevent the invasion of
18 Korea by the Russian Army for about a year or a year
19 and a half. In the meantime, we must request a third
20 power to intervene and end the war; but, since Eng-
21 land and France are our allies, respectively, we have
22 no third power other than America whom we can ask to
23 intervene.' Hence, it was finally decided at the Im-
24 perial conference of that day to commence hostilities,
25 but that night Prince ITO reportedly called Count

1 KANEKO and asked him to go to America immediately
2 after telling him of the above. In other words, they
3 were thinking of the ending of the war at the time of
4 the starting of the war.

5 "When Field Marshal OYAMA was about to
6 leave for Manchuria as Commander-in-Chief of the Man-
7 churian Forces, he reportedly stated, 'I will have
8 nothing to do. Mr. KODAMA will do the fighting for
9 me. But I may be of some help when the war is to be
10 ended.' The preparedness of our elders of that period
11 is worthy of note.

12 "If we should start a war with America
13 this time, it will be a real world war, and there'll
14 be no one to intervene. Even the international situ-
15 ation is very different from that of the Russo-Japan
16 War period, and even our ally, Germany, she is ex-
17 tremely powerless in the Orient.

18 "If hostilities should commence, Japan
19 will have to take the initiative and attack the
20 Philippines. As for America, since it will be the
21 first time her domain will be attacked, the flaring
22 up of her public sentiment is more than the 'Down with
23 Germany' sentiment expressed to date. The reason for
24 Lindberg's opposition to participation in the war is
25 the hopelessness of winning against Germany, but since

1 the relationship in the event of an attack on the Phil-
2 ippines by Japan is different, there is the danger of
3 such sentiment as 'Down with Hitler' being blown away
4 and changing completely into an anti-Japanese sentiment.

5 "Furthermore, since England is strengthening
6 her sentiment of resistance against Germany on the
7 strength of America's aid, it is a natural course for
8 a peace movement to stir up within England if a Jap-
9 anese -American war should break out and decrease the
10 aid to England and if Germany would undertake her
11 landing operation at this opportune time, it would be
12 fine. But, since Germany, too, has considerably de-
13 pleted her national strength in her war with Soviet
14 Russia and since naval strength will be involved if
15 a landing operation is to be undertaken, it may be
16 proper to regard that the peace feeling in Germany,
17 too, will become strong in proportion to the peace
18 feeling in England. That is, it seems as if a Japan-
19 ese-American war will hasten the peace in Europe, and
20 it must be viewed that there is the danger of peace
21 being brought about among England, America, Germany
22 and Soviet Russia at the cost of the Far East.

23 "In other words, considerable thought should
24 be given to the opening of hostilities between Japan
25 and America. Hence, I believe that it would be better

1 first to bring an end to the China Incident and to
2 have at the peace conference a reasonable voice backed
3 by a faultless Navy. What do you think?

4 "In reply to this, the War Minister stated:

5 "In view of so much sacrifice, withdrawal
6 of our troops cannot be undertaken as a principle.
7 I can't yield to this even if I were to risk my posi-
8 tion. Since America's real intention is control of
9 the Far East, if we were to make one concession, the
10 situation will probably be that she'll demand for
11 another and not know where to stop her demands.'

12 "The Premier makes such remarks because he
13 fully knows our domestic weaknesses, but since
14 America too, should have her weaknesses, I must say
15 that the Premier's view is too pessimistic.

16 "Since such was his retort, I took leave
17 of the War Minister remarking that, such being the
18 case, nothing can be done because it's a difference
19 of opinion and that I wanted him to make the same
20 statement at the Cabinet meeting.

21 "At the Cabinet meeting from 10:30 a.m. on
22 that day, the War Minister expressed his above-mentioned
23 opinion and the War Minister was the absolute master
24 of the situation with no one among the Cabinet Mem-
25 bers voicing approval or disapproval. Thus, the cab-

1 inet reached a complete deadlock.

2 "In the meantime, it became gradually known
3 within Army quarters that since the Navy, herself,
4 had no will to fight, but couldn't say so herself,
5 she was appealing to the Premier through Bureau Chief
6 OKA via Chief Secretary TOMITA for the Premier to ex-
7 press it. Consequently, the Army came forward with
8 the remark that since war with America, in the first
9 place, is a naval matter, it cannot be carried out
10 no matter how persistent the Army may be if the Navy
11 does not approve of it and that if the Navy would
12 say she can't do it if she can't do it, then we can
13 find a way to dissuade our subordinates and bring
14 order within the service with only the Premier stating
15 it.

16 "As an outcome of it, Chief MUTO of the Mili-
17 tary Affairs Bureau called on Chief Secretary TOMITA
18 and reportedly requested that the Navy be asked to
19 make a definite statement at this time. Hence, when
20 Chief Secretary TOMITA relayed this to Chief OKA of
21 the Naval Affairs Bureau, Bureau Chief OKA reportedly
22 stated that the Navy, as usual, cannot say it and that
23 she can say no more than that she will comply with
24 the decision of the Premier. Nevertheless, since the
25 Army, too, insisted that it's of no use without the

1 Navy saying it, but only vaguely stated by the
2 Premier, the attempt to break the deadlock was
3 abandoned."
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 "However, late on the night of 14th (10:30
2 p.m. -- 00:30 a.m. of the next day), President SUZUKI
3 of the Planning Board came to OGIGAIISO as messenger
4 of War Minister TOJO. According to his statement,
5 /TOJO/ had stated:

6 "'Nothing can be done since the opinions of
7 the Premier and mine (the War Minister) had clashed head
8 on. However, on inquiring more and more about the cir-
9 cumstances, I have found that it is the Navy that is
10 staggering the determination of the Premier. If only
11 the Navy would definitely say so, things would be all
12 right, but if she claims she can't say it, the situa-
13 tion will only check and counter-check itself. There-
14 fore, I have reached this conclusion. I believe that
15 there is no other alternative but to return the de-
16 cision of the recent Imperial conference back to a clean
17 slate once more by all of us, even including all of
18 the supreme command, resigning and to start anew with
19 new men coming forward. Then, if the new men coming
20 forward should decide that we won't fight, that may
21 appear to be the end of it, but the Army is straining
22 at the leash. There is no one among the Emperor's
23 subject other than Prince KONOYE who can shoulder this
24 grave crisis, but since he ought not to be troubled
25 this time in view of the circumstances of the Prince

1 to date, I believe that there is no alternative but
2 to request Prince HIGASHIKUNI to take over at this
3 time. Please relay this to the Lord Keeper of the
4 Privy Seal KIDO, also.'

5 "This is highly out of the ordinary, but it
6 is a plan. I replied that this be relayed to the Lord
7 Keeper of the Privy Seal KIDO, also. When President
8 SUZUKI called on the Lord Keeper of the Privy Seal KIDO
9 on the morning of the following day, the 15th, and in-
10 formed him of this the Lord Keeper of the Privy Seal
11 reportedly did not express approval or disapproval,
12 but it appeared as if the Lord Keeper of the Privy Seal
13 had reported this to the Emperor immediately and since
14 the Lord Keeper of the Privy Seal requested the Premier
15 to come forward and report the present situation to
16 the Emperor, I went to the palace at 4 p.m. on the 15th
17 and reported in detail the developments to date. When
18 I reported:

19 "The Navy does not want war, but she can't
20 say so in view of the decision of the Imperial Confer-
21 ence. On hearing that, I, as Premier, can't agree to
22 war all the more. I do think that the plan of the War
23 Minister to request Prince HIGASHI-KUNI to take over
24 is a means that would break the deadlocked situation,'
25 the Emperor replied:

1 "I would like to maintain peace to the very
2 end. Since the appearance of an Imperial prince would
3 make him appear to be my personal representative, it
4 would be bad for an Imperial prince to take over and
5 decide on war. If an Imperial prince takes over, he
6 must decide on peace. If it should be decided on peace,
7 will the army submit to the regulation? Besides, since
8 it is an unprecedented thing for an Imperial prince to
9 take over, the selection of Cabinet Members must be
10 done very carefully.'

11 "Thus, the Emperor seemed to have accepted
12 the resignation of the KONOYE cabinet tacitly.

13 "Generally speaking, I wonder if War Minister
14 TOJO's reason for bringing out an Imperial prince is to
15 take the issue to a strong group or to take it to a
16 weak group? According to President SUZUKI, it appears
17 to be for a change of direction, but in view of a re-
18 port that a group of advocates of positive action is
19 planning to use the Imperial prince as a figure-head
20 and carry out their positive view and since the Lord
21 Keeper of the Privy Seal requested that the intention
22 of the War Minister be ascertained once more, I called
23 President SUZUKI and had him ascertain the intention
24 of the War Minister as well as whether the Army will
25 submit to the regulation in the event it were to be

1 decided on 'peace,' a matter of concern to the Emper-
2 or. The reply of the War Minister reportedly was that
3 he could not state definitely that the Army would sub-
4 mit to the regulation in the event it is decided on
5 'peace.' He further added, though ambiguously:

6 "Assuming that it is decided on 'peace,'
7 there wouldn't be anyone other than an Imperial prince
8 who would be able to suppress the Army.'

9 "Therefore, at 8 o'clock on the night of the
10 15th, I secretly visited the residence of Prince
11 HIGASHI-KUNI and informed him of the circumstances to
12 date. And when I told him:

13 "In connection with our desire that the
14 war must be prevented somehow, to solicit for the aid
15 of an Imperial prince is an unprecedented thing, but
16 there is no means other than this to return the deci-
17 sion of the past to a clean slate. The Lord Keeper
18 of the Privy Seal KIDO is afraid that it may affect
19 your reputation, but since it will bring trouble to not
20 only Your Highness, but also to the Imperial Household
21 if war should break out, I beg that you consider your-
22 self to be Prince MORINAGA and put forth your whole
23 effort at this time.'

24 His Imperial Highness stated that he would
25 like to think it over since it was a grave matter and

1 wondered if he could suppress the Army with his own
2 strength.

3 "On the 16th, I began collecting the letters
4 of resignation of the Cabinet Members from morning and
5 when I informed the Lord Keeper of the Privy Seal KIDO
6 that I was going to the palace to present them to the
7 Emperor now as I had collected all of them in the
8 afternoon, the Lord Keeper of the Privy Seal asked me
9 to hold off. Stating that because I had collected all
10 of the letters of resignation, I visited the palace
11 at 5 o'clock and explaining the reason as disagree-
12 ment of opinion within the Cabinet, I presented the
13 resignation of the entire Cabinet Members and retired
14 from the presence of the Emperor. I met the Lord Keep-
15 er of the Privy Seal KIDO and inquired as to what he
16 thought of the Imperial prince. According to the Lord
17 Keeper of the Privy Seal, since His Majesty claims
18 that it would be very embarrassing, he has finally de-
19 cided to summon both, TOJO and OIKAWA, simultaneously,
20 issue the Imperial Mandate for the formation of the
21 succeeding Cabinet to one of them and order the other
22 to cooperate and, at the same time, he also issued an
23 instruction to the effect that the decision of the Im-
24 perial Conference of September 6 be reconsidered.
25

"As to whom it shall be, the Lord Keeper of

1 the Privy Seal explained that since the War Minister
2 had clashed head-on with the Premier, it would be
3 like recognizing his contention if it is given to him.
4 Hence, he believes that it would be better to take the
5 middle course and offer it to the Navy Minister --since
6 the Navy Minister actually does not want war, but this
7 has not been brought to light. The Emperor, too, has
8 been informed to that effect.

9 "However, it can be thought in this manner,
10 also. Since the problem is the Army, there would be
11 a danger of the Army springing back all the more if it
12 is offered to the Navy. Hence, wouldn't it be better
13 to offer it to the stronger side and alleviate the
14 situation? Since America is of the opinion that the
15 Army would reverse things even if decided upon by the
16 KONOYE Cabinet, she will be all the more surprised if
17 TOJO Cabinet is formed after it, in view of the fact
18 that she already is all the more convinced that it
19 will be war with the resignation of the KONOYE Cab-
20 inet. But if the TOJO Cabinet, contrary to expectat-
21 tions, should continue to carry on the negotiation, it
22 may instead make her feel relieved and bring about a
23 better result. /TN: The following sentence is crossed
24 out/ As to whom it should be, I believe that it would
25 be better to have TOJO."

1 "Upon expressing my opinion thusly /TN:
2 crossed out/, the Lord Keeper of the Privy Seal asked
3 me to consider the above advantages and disadvantages
4 until tomorrow.

5 "On the morning of the 17th, I sent a message
6 to the Lord Keeper of the Privy Seal that TOJO would
7 be better (if guarantee of peace is obtained).

8 "On the 17th, the chief retainers' confer-
9 ence will be held in the palace at 1 p.m., after
10 which the Emperor is expected to summon both TOJO and
11 OIKAWA and issue the Imperial Mandate and, at the same
12 time, an instruction to the effect that the Army and
13 the Navy should cooperate and that the decision of the
14 Imperial Conference of September 6 should be recon-
15 sidered."

1 THE PRESIDENT: You do not know when that
2 memorandum was dictated? Nothing appears on it.

3 MR. FIHELLY: As to that question, Mr.
4 President, so that it can be accurately answered, I
5 would rather make further investigation. There were
6 a number of vital papers found in the KONOYE resi-
7 dence at the time of his suicide. I believe this was
8 one of those, but I would rather accurately investi-
9 gate and report to the Tribunal.

10 I now read from prosecution exhibit 1136 A,
11 one of the TOJO extracts which was introduced this
12 morning in connection with this same particular
13 meeting of October 12. I read from page 2 of the
14 exhibit, pages 5 and 6 of the interrogation, starting
15 with the last two questions and answers on the bottom
16 of page 2:

17 "Q. Who attended the meeting at KONOYE's home
18 on or about October 12, 1941?

19 "A It is hard for me, but I am sure that the
20 War Minister, the Navy Minister, and the Foreign
21 Minister was there. I am not sure whether the
22 President of the Planning Board was there or not,
23 but the three important ones were the three I have
24 mentioned.
25

"Q What was the purpose of the meeting and

1 what occurred there?

2 "A As I recall them, I think the reasons for
3 the conference were as follows: In the first place,
4 the middle ten days of October, which had been set
5 as the time by which we would strive for a favorable
6 diplomatic turn, were upon us. The Japanese proposal
7 for a meeting between Prince KONOYE and the President
8 of the United States had been turned down by America.
9 The international situation was becoming more tense
10 all the time. In these circumstances, it was neces-
11 sary for the Government of Japan to decide more
12 definitely just what its policy was to be, and I be-
13 lieve that was the basic purpose of the conference at
14 Premier KONOYE's home.

15 "Q Did you not quarrel with KONOYE at that
16 meeting?

17 "A No, it was not a quarrel. Our opinions
18 differed.

19 "Q Differed on what?

20 "A My opinion was as follows: Japan was mak-
21 ing concession after concession in the effort to
22 effect a diplomatic break before the middle ten days
23 of October, but on the other hand, America refused
24 to budge from her position and made no concessions.
25 The meeting between Premier KONOYE and the President,

1 by which it had been hoped that a political settle-
2 ment could be reached had been turned down. As War
3 Minister, my opinion was that there remained prac-
4 tically no hope of a diplomatic break and I suggested
5 that the time had come when we had better make up our
6 minds for war. The longer we delayed in making this
7 decision, the more disadvantageous the situation
8 would be for Japan if war were decided upon later.
9 I felt thus because we were now in the middle ten
10 days of October."

11 As tending to show that there was still
12 some element in the Navy against war with the
13 United States and that this situation was discussed
14 by the defendants KIDO and SUZUKI on October 13, we
15 next offer in evidence the KIDO Diary entry of that
16 date, International Prosecution document 1632W (78).

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: Prosecution's document
19 1632W (78) will receive exhibit No. 1149.

20 (Whereupon, the document above re-
21 ferred to was marked prosecution's exhibit
22 No. 1149 and received in evidence.)

23 MR. FIELLY: I now read prosecution exhibit
24 No. 1149, the extract of October 13, 1941:

25 "SUZUKI, President of the Planning Board,

1 visited me at 8 p.m. to talk about his political
2 views which might contribute in some way to the
3 making of a new turn in our political condition. I
4 expressed my opinion to him. Our conclusion of the
5 talk was this: The Premier should make an effort to
6 promote mutual understanding with the War and Navy
7 Ministers."

8 There follows another entry from the KIDO
9 Diary of October 15 which we now offer in evidence,
10 International Prosecution document No. 1632W (79),
11 as tending to show that the defendant TOJO and those
12 who desired war with the United States had brought
13 about a Cabinet crisis.

14 THE PRESIDENT: Admitted on the usual terms.

15 CLERK OF THE COURT: Prosecution's document
16 No. 1632W (79) will receive exhibit No. 1150.

17 (Whereupon, the document above re-
18 ferred to was marked prosecution's exhibit
19 No. 1150 and received in evidence.)

20 MR. FIHELLY: I now read prosecution exhibit
21 No. 1150, KIDO Diary extract, October 15, 1941. Or,
22 rather, it states here that it is the full entry of
23 that date. (Reading)
24
25

1 "YAKATA visited me at 9 a.m. At 9:30
2 a.m. Lieut.-General SUZUKI, President of the Planning
3 Board, visited me to deliver War Minister TOJO's
4 message, the purport of which is as follows: If
5 the Premier would not change his mind, the general
6 resignation of the Cabinet would be unavoidable.
7 And as for the succeeding Premier, although the
8 War Minister did not mention his name, he made it
9 essential that the next Premier should be able to
10 bring the Army and the Navy together, and follow the
11 Imperial will. When one considered this point, it
12 seemed very difficult to find a suitable person among
13 ordinary Japanese subjects. He mentioned Prince
14 HIGASHI-KUNI as a possibility for the next Premier.
15 To this I answered that we should be very careful
16 as it was a matter concerned with the Imperial family,
17 and if we had to ask the Prince's acceptance of the
18 premiership, a common policy between the Army and
19 the Navy should be worked out beforehand; the estab-
20 lishment of an independent policy would take prece-
21 dence of all other questions. I asked if the War
22 Minister had any accurate forecast to make on this
23 point.
24

25 "I went to the office at 11 a.m. Prince
KONOYE visited me to ask my opinion regarding the

1 HIGASHIKUNI Cabinet. I answered that it was still
2 under consideration. I requested NATSUDAIRA, Chief
3 Secretary, to study the procedure of the materializa-
4 tion of the HIGASHIKUNI plan. I visited the Emperor
5 from 1.15 p.m. to 2 p.m. to report upon the pressing
6 political situation. Premier KONOYE visited me at
7 4 p.m. to say that he could not hold his Premiership
8 any longer, for the breach with the War Minister was
9 becoming wider every day until at last the War Min-
10 ister gave vent to his discontent saying that he did
11 not like to hold any further conversations with the
12 Premier, as he was not sure if he could stifle his
13 feelings. Finally he asked my opinion regarding
14 the proposed HIGASHIKUNI Cabinet, so I told him
15 that I did not know whether the War Minister had
16 changed his opinion in order to effect a compromise
17 with the Navy or whether he intended to put the
18 Prince's shoulder to the wheel, and I had yet to know
19 the real intentions of the War Minister.
20

21 "I telephoned to the President of the Plan-
22 ning Board to request him to visit me. I visited the
23 Minister of the Imperial Household Department to talk
24 about the HIGASHIKUNI Cabinet plan. The Minister
25 seemed astonished and strongly objected to this plan.
At 4:30 p.m. SUZUKI, President of the Planning Board,

1 visited me. I asked him as to the real meaning of
2 the War Minister's intentions, but in vain. I urged
3 him to supply me with a definite report on this matter.
4 The Premier, who joined our conversation on his with-
5 drawal from the presence of the Emperor, said that
6 the Emperor had not shown any particular objection
7 to the HIGASHIKUNI Cabinet as it might be said to
8 be the outcome of necessity, not of choice.

9 "I talked with the Premier until 8:30 p.m.
10 regarding the political situation. At night SUZUKI
11 telephoned to report on the result of his conversa-
12 tion with War Minister TOJO. According to his report,
13 TOJO's purpose was to establish harmony between the
14 Army and the Navy by the influence of the Prince.
15 So I objected to the plan. The Premier also tele-
16 phoned me to say that he wanted to secure an informal
17 consent of Prince HIGASHIKUNI. I answered that it
18 would be too early to do so, though I had no objection
19 to him so long as his action was in his capacity as
20 Premier. At midnight the Premier sent me a report
21 saying that Prince HIGASHIKUNI had asked for a few
22 days consideration on his part and a meeting with War
23 Minister and the Home Minister. From 5:35 a.m.
24 to 5:50 a.m. I made a report to the Throne concerning
25 Prince KONOYE's talk and asked the Imperial opinion

1 as to the matter."

2 THE PRESIDENT: We will adjourn now until
3 half past nine tomorrow morning.

4 (Whereupon, at 1600, an adjourn-
5 ment was taken until Wednesday, November
6 13, 1946 at 0930.)

7 - - -
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25